



## City of San Marcos

### Regular Meeting Historic Preservation Commission April 6, 2023, 6:00 PM City Hall, Council Chambers 630 East Hopkins Street

*The Commission member presiding over the meeting will be present at this location.*

**Due to COVID-19, this will be a hybrid (in-person/virtual) meeting. For more information on how to observe the virtual meeting, please visit:**

**<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>**

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*The Historic Preservation Commission may adjourn into executive session to consider any item on the agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made on the basis for the Executive Session discussion. The Historic Preservation Commission may also publicly discuss any item listed on this agenda for Executive Session.*

#### **I. Call To Order**

#### **II. Roll Call**

- III. 30 Minute Citizen Comment Period:** *Persons wishing to participate (speak) during the citizen comment period must submit their written comments to [hpccommission@sanmarcostx.gov](mailto:hpccommission@sanmarcostx.gov) no later than **12:00 p.m. (noon)** on the day of the meeting. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. Please indicate if you would like to speak in person.*

#### **MINUTES**

1. Consider approval, by motion, of the March 2, 2023 regular meeting minutes.

#### **PUBLIC HEARINGS**

*Written comments or requests to join in a public hearing must be sent to [hpccommission@sanmarcostx.gov](mailto:hpccommission@sanmarcostx.gov) the day prior to the meeting and no later than **12:00 p.m. (noon)** on the day of the hearing. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. Comments shall have a time limit of three minutes each. Any additional information regarding this virtual meeting may be found at the following link: <https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>. Please indicate if you would like to speak in person.*

2. **HPC-23-07 (835 West Hopkins Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by Derek Mizner, on behalf of Cathy and Robert Northcutt, to allow the addition of 48 square feet of living space to the rear of the building by constructing a screened-in rear porch, and to allow the installation of a new window on the second floor of the north side façade of the building where a gable vent currently exists so the space can be converted to conditioned living space.

## **UPDATES**

3. Updates on the following:
  - a. HPC Committee Reports Concerning Recent Activities
  - b. Grant Opportunities and Updates
  - c. Dunbar School Home Economics Building Restoration Progress
  - d. Historic Preservation Plan Update
  - e. Upcoming Events and Training Opportunities

## **DISCUSSION ITEMS**

4. Discussion regarding site elements in the historic district, including, but not limited to, sidewalks and provide feedback to staff.
5. Discussion regarding the process to designate a tree a local historic landmark and provide feedback to staff.
6. Discussion regarding the feasibility of restricting new Certificate of Appropriateness (COA) applications if determined a previous COA was not constructed as approved, there are existing Code violations relating to COAs on the property, or there have been exterior alterations that have not been approved.

## **IV. FUTURE AGENDA ITEMS**

Board Members may provide requests for discussion items for a future agenda in accordance with the board's approved bylaws. *(No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.)*

## **V. QUESTION AND ANSWER SESSION WITH PRESS AND PUBLIC**

This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons wishing to participate remotely in the Q&A session must email [hpccommission@sanmarcostx.gov](mailto:hpccommission@sanmarcostx.gov) beginning the day prior to the meeting and before 12:00PM the day of the meeting. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

## **VI. ADJOURNMENT**

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to [ADArequest@sanmarcostx.gov](mailto:ADArequest@sanmarcostx.gov). For more information on the Historic Preservation Commission, please contact Alison Brake, Historic Preservation Officer at 512.393.8232 or [abrake@sanmarcostx.gov](mailto:abrake@sanmarcostx.gov).



# CITY OF SAN MARCOS

## Meeting Minutes

### Historic Preservation Commission

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Thursday, March 2, 2023

6:00 PM

Hybrid Meeting

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Due to COVID-19, this was a hybrid in-person/virtual meeting. For more information on how to observe the virtual meeting, please visit:

<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

#### I. Call To Order

With a quorum present the regular meeting of the San Marcos Historic Preservation Commission was called to order at 6:00 p.m. on Thursday, March 2, 2023.

For compliance with the Texas Open Meetings Act, Ms. Hernandez opened the meeting as the Commission was without a Chair and Vice Chair Baker was attending the meeting virtually. Texas Open Meetings Act states the "Presiding officer" must be in the room where the meeting is being held and open to the public. Commissioner Rogers volunteered to act as Chair for this meeting.

#### II. Roll Call

**Present** 7 – Commissioner Baker, Commissioner Rogers, Commissioner Ong'olo, Commissioner Dake\*, Commissioner Dedek, Commissioner Long, and Commissioner Dillon

**Absent** 0

\*Commissioner Dake arrived at the meeting at 6:23 PM.

#### III. 30 Minute Citizen Comment Period:

No one spoke

#### ELECTION OF THE FOLLOWING OFFICERS:

##### 1. Historic Preservation Commission Chairperson

Commissioner Dillon nominated Commissioner Rogers for Chairperson. Commissioner Baker nominated Commissioner Ong'olo for Chairperson. There were no other nominations presented.

Ms. Hernandez stated there would be a roll call vote and asked the Commission to please say the last name of the person they were voting for.

**Commissioner Baker, Commissioner Ong'olo, Commissioner Dake, Commissioner Dedek, and Commissioner Long voted for Commissioner Ong'olo to be Chairperson.**



**Commissioner Rogers and Commissioner Dillon voted for Commissioner Rogers to be elected as Chairperson.**

Commissioner Ong'olo was elected Chairperson of the Historic Preservation Commission.

## **2. Historic Preservation Commission Vice Chairperson**

Commissioner Dillon nominated Commissioner Rogers for Vice Chairperson. There were no other nominations presented.

**A motion was made by Commissioner Dillon to nominate Commissioner Rogers as Vice Chairperson. The motion carried by the following vote:**

**For: 6** – Commissioner Baker, Commissioner Rogers, Commissioner Ong'olo, Commissioner Dedek, Commissioner Long, and Commissioner Dillon

**Against: 0**

Commissioner Rogers was elected Vice Chairperson of the Historic Preservation Commission.

## **MINUTES**

### **3. Consider approval, by motion, of the February 9, 2023 regular meeting minutes.**

Commissioner Baker stated that the minutes should be amended to show that Commissioner Rogers declared the meeting adjourned as she was acting Chair.

**A motion was made by Commissioner Ong'olo, seconded by Commissioner Dedek, to approve the minutes of the February 9, 2023 regular meeting as amended. The motion carried by the following vote:**

**For: 6** – Commissioner Baker, Commissioner Rogers, Commissioner Ong'olo, Commissioner Dedek, Commissioner Long, and Commissioner Dillon

**Against: 0**

## **PUBLIC HEARING**

### **4. HPC-23-04 (1108 West San Antoni Street) Hold a public hearing and consider a request for a Certificate of Appropriateness by Vanessa McMahan to allow the construction of a six-foot-tall wood privacy fence along the southwest property line and to allow the construction of a four-foot-tall hog panel fence in order to enclose in the front yard.**

Alison Brake, Historic Preservation Officer, gave a presentation outlining the request. She concluded the construction of a six-foot-tall wood privacy fence along the southwest property line and to allow the construction of a four-foot-tall hog panel fence in order to enclose in the front yard was consistent with the San Marcos Development Code [Section 4.5.2.1(l)(1)(g)] and the Secretary of the Interior Standards for Rehabilitation [Standard Numbers 1 and 10], inconsistent with the San Marcos Development Code [Section 4.5.2.1(l)(1)(e)], and neutral with the San Marcos Development Code [Section 4.5.2.1(l)(1)(i)] and the Secretary of the Interior Standards for Rehabilitation [Standard Number 9].

Vanessa McMahan, 1108 West San Antonio Street, stated that she did not have anything prepared but that she was wanting to use her property and to be able to delineate her property line. She stated the fence in the front yard was to help keep her child safe while playing there as he has left the property before.

Commissioner Rogers closed the public hearing.

Commissioner Baker asked the Commission if they could separate the fence requests into two separate motions. The Commission agreed.

**A motion was made by Commissioner Dedek, seconded by Commissioner Rogers, to approve the construction of a six-foot-tall wood privacy fence along the southwest property line. The motion carried by the following vote:**

**For: 6** – Commissioner Baker, Commissioner Rogers, Commissioner Ong'olo, Commissioner Dedek, Commissioner Long, and Commissioner Dillon

**Against: 0**

**A motion was made by Commissioner Baker to deny the construction of a four-foot-tall hog panel fence in order to enclose in the front yard as the materials proposed were inconsistent with the Development Code and the Secretary of the Interior Standards. The motion died for lack of a second.**

Commissioner Ong'olo suggested making a motion with amendments. Commissioner Baker withdrew her motion to deny.

**A motion was made by Commissioner Baker, seconded by Commissioner Ong'olo, to seek another material that will be negotiated.**

Discussion between the Commission and the applicant regarding the materials proposed ensued.

Ms. Hernandez reminded the Commission that in order to make the final motion, the material will need to be determined.

**A motion was made by Commissioner Baker, seconded by Commissioner Dake, to amend the main motion so that the applicant would be required to construct the fence in the front yard using wooden pickets. The motion carried by the following vote:**

**For: 6** – Commissioner Baker, Commissioner Dake, Commissioner Dedek, Commissioner Ong'olo, Commissioner Long, and Commissioner Dillon

**Against: 1** – Commissioner Rogers

**The motion by Commissioner Baker, seconded by Commissioner Ong'olo was clarified approving the request for the construction of a fence in order to enclose in the front yard with the following condition: 1) A four-foot-tall wooden picket fence be constructed in the front yard in lieu of the hog panel style of fence. The motion carried by the following vote:**

**For: 5** – Commissioner Baker, Commissioner Dake, Commissioner Dedek,

Commissioner Ong'olo, and Commissioner Dillon

**Against:** 2 – Commissioner Rogers and Commissioner Long

5. **HPC-23-05 (141 East Hopkins Street) Hold a public hearing and consider a request for a Certificate of Appropriateness by Jamie Frailicks, on behalf of Brian Scofield, to allow the installation of a new awning sign on the front façade of the building to reflect the name of a new business in the building.**

Alison Brake, Historic Preservation Officer, gave a presentation outlining the request. She concluded the installation of a new awning sign on the front façade of the building to reflect the name of a new business in the building was consistent with the Secretary of the Interior Standards for Rehabilitation [Standard Numbers 1, 2, 5 and 10], and neutral with the San Marcos Development Code [Section 4.5.2.1(l)(1)(g)] and the Secretary of the Interior Standards for Rehabilitation [Standard 9].

No one spoke. Commissioner Rogers closed the public hearing.

**A motion was made by Commissioner Dake, seconded by Commissioner Dedek, to approve the installation of a new awning sign on the front façade of the building to reflect the name of a new business in the building with the following condition:**

1. **The new awning sign will utilize white, sans serif lettering as presented during the meeting shown in Option #2.**

**The motion carried by the following vote:**

**For:** 7 – Commissioner Baker, Commissioner Rogers, Commissioner Ong'olo, Commissioner Dake, Commissioner Dedek, Commissioner Long, and Commissioner Dillon

**Against:** 0

6. **HPC-23-06 (804 Burleson Street) Hold a public hearing and consider a request for a Certificate of Appropriateness by Kristy Money to allow the construction of a new, detached, two-story, three-car garage, which will include a 1,000 square foot Accessory Dwelling Unit (ADU) on the second floor.**

Alison Brake, Historic Preservation Officer, gave a presentation outlining the request. She concluded the installation of a new wall sign installed on the front façade to reflect the name of a new business in the building was consistent with the Secretary of the Interior Standards for Rehabilitation [Standard Numbers 1, 2, 3, 5, 7, and 9], and neutral with the San Marcos Development Code [Section 4.5.2.1(l)(1)(g)] and the Secretary of the Interior Standards for Rehabilitation [Standard 10].

Kristy Money, 804 Burleson Street, stated that she had modified her request since January and was available for questions. Commissioner Rogers closed the public hearing.

**A motion was made by Commissioner Rogers to postpone the request until she can retain her own legal counsel and provided the following statement: "At 12:40 yesterday afternoon, the Historic Preservation Officer received an email from the applicant, Ms. Money, addressed to me. The email was forwarded to me and the City Attorney by the Historic Preservation Officer. The email from the applicant, Ms.**

**Money, contained false information about me and my livelihood. Attached to the email was a City of San Marcos Ethics Review Commission Ethics Violation Complaint Form. The form had false statements about me, did not have the required laws allegedly violated, and the documents and screenshots she references in the ethics violation were not attached as stated in the email from the applicant, Ms. Money. The written portion of the ethics violation complaint began with, and I quote, "Jennifer Rogers did not recuse herself from the vote over our application for a HPC Certificate of Appropriateness on 3.2.23, even though I brought multiple ethical concerns to her attention (email to Ms. Rogers dated 3.1.23, attached)." The email from the applicant concluded with and I quote "The details of the evidence and my concerns are attached in the city's complaint form. I really hope I do not have to notarize and submit it Friday morning and do a TREC one." Given the very short time constraint, I was not able to seek my own legal counsel. I deem Ms. Money's communication via the email she sent with an ethics violation form attached as threatening me with legal action if I do not recuse myself. Some might consider that extortion. I am aware of the applicant's use of public defamation and threatening legal action in other instances. This is very concerning as I am serving as a volunteer on this Commission."**

Before there was a second on the motion to postpone, Commissioner Baker asked the Interim City Attorney, Ms. Barbara Quirk, if she should recuse herself as her property was on the edge of the notification buffer. Ms. Quirk responded that each of the Commissioners must make the decision on whether to recuse themselves on their own and encouraged them to speak with their own attorney. She stated that she does not represent the individual Commission members but that she represents the city. She explained her role in the ethics process; she is the person designated at the city under the ethics ordinance who receives the ethics complaints and forwards them to the Ethics Commission. She stated that she would be available to speak privately by phone should any Commissioner feel necessary.

Commissioner Baker recused herself for the remainder of the discussion.

Commissioner Dake stated that she was very concerned about transparency as a Commissioner as Ms. Money showed up at her front door prior to the meeting with information pertaining to the request. She stated that she explained to Ms. Money that she was uncomfortable discussing anything prior to the meeting. She stated that she did not feel threatened but did feel pressured. She stated that she felt that the items the applicant left with her were inappropriate and asked other Commissioners if they had received the same information. Ms. Hernandez reminded the Commission that there was a motion on the floor and a second was required to continue the conversation.

**Commissioner Dake seconded the motion to postpone.**

Ms. Hernandez asked the Commission for direction on how long they were looking to postpone the request as it is best practices to postpone to a date certain, if possible. Commissioner Rogers stated that she needed adequate time to seek the appropriate counsel. Ms. Hernandez stated that staff would queue the request for the May meeting and there will not be another public hearing unless the Code requires it.

**Commissioner Rogers asked if there was any more discussion regarding postponing until the May meeting.**

Commissioner Dillon stated that he had received a similar email to the one Commissioner Rogers received. Commissioner Dedek stated that postponing was a good idea. Commissioner Long stated that she also received the same information as others. Commissioner Dake asked the City Attorney if the full Commission should receive a copy of the items. Ms. Hernandez stated that staff had received a scan of those and can include them in the next packet.

**Commissioner Rogers called for a roll call vote on the motion to postpone. The motion carried by the following vote:**

**For: 6** – Commissioner Rogers, Commissioner Ong'olo, Commissioner Dake, Commissioner Dedek, Commissioner Long, and Commissioner Dillon  
**Against: 0**

## **UPDATES**

### **7. Updates on the following:**

- a. HPC Committee Reports Concerning Recent Activities**
  - b. Grant Opportunities and Updates**
  - c. National Register of Historic Places Nomination Project**
  - d. Dunbar School Home Economics Building Restoration Progress**
  - e. Historic Preservation Plan**
  - f. Upcoming Events and Training Opportunities**
- a. Staff stated the Preservation Month Committee met on Tuesday, February 28<sup>th</sup> to begin the planning process for May's event. Commissioner Ong'olo stated the format would be held on a single Saturday in May from 10:00 a.m., - 2:00 p.m. and modeled after the San Antonio Historic Home Fair. She mentioned that the theme of this year's event would have a focus on historic homeownership. The committee proposed a Central Hub where staff could be on hand to answer questions about the permitting process, along with 3 back-to-back learning sessions: 1) Sustainability; 2) Historic Homeownership Panel to discuss various architectural styles/how to spot them, financial benefits of living in a historic district, and the safety aspects (i.e., dealing with lead & asbestos). The Commission provided concurrence with the format of the event. Commissioner Dake asked that the event not be held on the same Saturday as the Heritage Association Home Tour. Staff stated that the committee will meet again on March 14<sup>th</sup>.
  - b. Nothing to report from staff.
  - c. A public informational meeting will be held on Thursday April 13th at the Dunbar Recreation Center. Consultants from both Stantec (NRHP Nomination) and the Dunbar School Building stabilization project (RVK & Post Oak Preservation) will be on hand to provide information to the public. Staff stated that a formal invite would be sent to the Commission.
  - d. Nothing to report from staff.
  - e. Staff is working on drafting the Request for Proposals to issue on or around April 10th.
  - f. Staff stated there will be a Community Meeting for the Dunbar/Heritage Neighborhood Plan. The consultants & staff will be on hand to present key recommendations of the plan and to receive input from the public. Staff also reminded the Commission of a webinar presented by the National Alliance of Preservation Commissions on March 23<sup>rd</sup> which will cover Preservation Planning & the key components of a preservation plan.

**FUTURE AGENDA ITEMS**

Commissioner Baker asked that the following be added as a discussion item on a future agenda:

- Sidewalks and streetscape in the Historic Districts

Commissioner Dake asked that the following be added as a discussion item on a future agenda:

- Process for landmarking trees

**QUESTION AND ANSWER SESSION WITH PRESS AND PUBLIC**

No one spoke.

**THERE BEING NO FURTHER BUSINESS ACTING CHAIR ROGERS DECLARED THE MEETING  
ADJOURNED AT 7:27 P.M.**

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Jennifer Rogers, Acting Chair

**ATTEST:**

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Alison Brake, Historic Preservation Officer

### 400ft Buffer





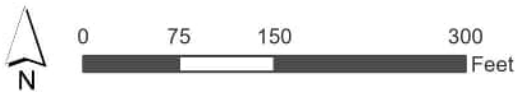
835 W Hopkins St. -  
Various Exterior Alterations

HPC-23-07

Aerial Map



-  Subject Property
-  Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 3/20/2023

**SAN MARCOS** Planning and  
Development Services





# Certificate of Appropriateness

## HPC-23-07 (835 West Hopkins Street)



### Summary

<b>Request:</b>	Addition of 48 square feet of living space to rear of the home by constructing a screened-in rear porch Replacement of a second-floor gable vent with a new window		
<b>Applicant:</b>	Derek Mizner Mizner Design 3823A Bee Cave Road Austin, TX 78746	<b>Property Owner:</b>	Cathy and Robert Northcutt 214 Lazy Lane San Marcos, TX 78666

### Notification

<b>Personal Mailing:</b>	March 24, 2023	<b>Posted Notice:</b>	March 24, 2023
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Address:</b>	835 West Hopkins Street (See: Aerial Map)		
<b>Location:</b>	Corner of West Hopkins Street and Travis Street		
<b>Historic District:</b>	Hopkins Street	<b>Contributing Structure</b>	Yes
<b>Date Constructed:</b>	Ca. 1890	<b>My Historic SMTX Resources Survey:</b>	High
<b>National Register of Historic Places:</b>	Not Listed	<b>Recorded Texas Historic Landmark:</b>	No
<b>Building Description:</b>	Two-story, 2,351 square foot wood, Folk Victorian-style single-family residential structure		

### My Historic SMTX Historic Resources Survey Summary

<input type="checkbox"/> Low	<input type="checkbox"/> Medium	<input checked="" type="checkbox"/> <b>High</b>
<p>High priority properties are those resources which have retained integrity, are significant or rare examples of a particular type or style, and/or have significant associations with the community. Typically, high priority properties are recommended as National Register of Historic Places (NRHP) or local landmark eligible either individually or as part of a potential historic district based on the results of research and survey efforts.</p> <p>The database states the property includes the original wood windows, transom, and chamfered porch posts with jigsaw brackets. Also, mentioned is the metal cross-gabled/hipped roof with deck at ridge. The database notes the property was evaluated as a medium priority in the 1997 Heritage Neighborhood Survey and was evaluated as a high priority in My Historic SMTX survey due to its high integrity and as a significant example of style/type; it reflects late 19<sup>th</sup> Century neighborhood development. The property can be seen on the 1922 Sanborn Map. (See: Historic Resources Survey Inventory Form and 1922 Sanborn Map)</p>		

# Certificate of Appropriateness

## HPC-23-07 (835 West Hopkins Street)



### Current Request

The applicant is proposing to add 48 square feet of living space at the rear of the home by constructing a screened-in porch. The existing footprint of the porch will be utilized, and the new screened-in portion will not extend past the existing rear porch posts. The addition, while at the rear of the building, will be most visible from Travis Street.

Additionally, the property owners would like to convert the attic space to conditioned, habitable space; their plan is to convert it to a bedroom. As such, the Residential Building Code requires a window to be installed as a safety measure. The applicant is proposing to replace the gable vent, located on the north side façade, with a new wood window. The property owners have stated that the new window will include a wood window screen that will mirror the existing screens on the home.

Please refer to attached documents for a site plan, a proposed floor plan, architectural renderings, and photos submitted by the applicant. The renderings show work that will be done along the north side façade towards the rear of the home which cannot be seen from the right-of-way. Therefore, it was not reviewed per Section 2.5.5.1(B) of the San Marcos Development Code.

### My Historic SMTX Photograph



Staff Evaluation	Criteria for Approval (Sec.2.5.5.4)
<b><u>No Affect</u></b>	Consideration of the effect of the activity on historical, architectural, or cultural character of the Historic District or Historic Landmark <b><i>Approval of the request would not affect the activity noted above.</i></b>
<b><u>N/A</u></b>	For Historic Districts, compliance with the Historic District regulations
<b><u>No</u></b>	Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued <b><i>The property owner will not suffer an extreme hardship</i></b>
<b><i>See Analysis Below</i></b>	The construction and repair standard and guidelines cited in Section 4.5.2.1

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



## REAR ADDITION

Staff Evaluation			<b>Construction and Repair Standards (Sec.4.5.2.1(l)(1))</b> New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
Consistent	Inconsistent	Neutral	
<u>X</u>			a. <u>Height</u> . The height of a proposed building shall be visually compatible with adjacent buildings. <b><i>The proposed addition will not affect the height of the building.</i></b>
		<u>N/A</u>	b. <u>Proportion of Building's front Facade</u> . The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
		<u>N/A</u>	c. <u>Proportion of openings within the facility</u> . The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.
<u>X</u>			d. <u>Rhythm of solids to voids in front Facades</u> . The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related. <b><i>The proposed addition is at the rear of the building and will not affect the front of the building.</i></b>
<u>X</u>			e. <u>Rhythm of spacing of Buildings on Streets</u> . The relationship of a building to the open area between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related. <b><i>The proposed addition is contained within the existing footprint of the structure, on the rear porch, and will not extend past the rear porch posts into the rear yard.</i></b>
<u>X</u>			f. <u>Rhythm of entrance and/or porch projection</u> . The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related. <b><i>The proposed addition is contained within the existing footprint of the structure, on the rear porch, and will not extend past the rear porch posts into the rear yard.</i></b>

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



REAR ADDITION		
Construction and Repair Standards (Sec.4.5.2.1(l)(1))		
Staff Evaluation		
Consistent	Inconsistent	Neutral
<u>X</u>		
<u>X</u>		
		<u>N/A</u>
<u>X</u>		
See Attached Historic District Guidelines (if necessary) See Secretary of the Interior Standards Analysis Below		

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



REAR ADDITION			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.  <b><i>The property will continue to be used as a single-family residence.</i></b></p>
<u>X</u>			<p>2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.  <b><i>The proposed addition is contained within the existing footprint of the structure at the rear of the building.</i></b></p>
<u>X</u>			<p>3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.  <b><i>A screened-in porch is not a conjectural feature.</i></b></p>
		<u>N/A</u>	<p>4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.</p>
<u>X</u>			<p>5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.  <b><i>The proposed addition is contained within the existing footprint of the structure at the rear of the building.</i></b></p>
<u>X</u>			<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.  <b><i>The proposed plans show that where new siding and trim is needed to construct the screened-in porch, the new siding and trim will match the existing in profile and material</i></b></p>
		<u>N/A</u>	<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>
		<u>N/A</u>	<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



REAR ADDITION			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p><b><i>The proposed plans show that where new siding and trim is needed to construct the screened-in porch, the new siding and trim will match the existing in profile and material.</i></b></p>
<u>X</u>			<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p> <p><b><i>The screened-in porch could be converted back to an open porch without impairing the essential form and integrity of the building should a future property owner wish to remove it.</i></b></p>

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



NEW WINDOW			
Staff Evaluation			Construction and Repair Standards (Sec.4.5.2.1(l)(1))
Consistent	Inconsistent	Neutral	New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
		<u>N/A</u>	a. <u>Height</u> . The height of a proposed building shall be visually compatible with adjacent buildings.
		<u>N/A</u>	b. <u>Proportion of Building's front Facade</u> . The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
<u>X</u>			c. <u>Proportion of openings within the facility</u> . The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related. <b><i>The renderings show the proposed new window is visually compatible with the other windows located on the north side facade.</i></b>
		<u>N/A</u>	d. <u>Rhythm of solids to voids in front Facades</u> . The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.
		<u>N/A</u>	e. <u>Rhythm of spacing of Buildings on Streets</u> . The relationship of a building to the open area between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related.
		<u>N/A</u>	f. <u>Rhythm of entrance and/or porch projection</u> . The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related.
<u>X</u>			g. <u>Relationship of materials, texture and color</u> . The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related. <b><i>The proposed plans show that where new siding and trim is needed to install the new window, the new siding and trim will match the existing in profile and material. The proposed new wood window should be installed to mirror the depth of the existing windows along the north side façade.</i></b>



# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



NEW WINDOW			Construction and Repair Standards (Sec.4.5.2.1(I)(1))
Staff Evaluation			
Consistent	Inconsistent	Neutral	
		<u>N/A</u>	<u>h. Roof shapes.</u> The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.
		<u>N/A</u>	<u>i. Walls of continuity.</u> Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.
		<u>N/A</u>	<u>j. Scale of a Building.</u> The size of a building, the mass of a building in relation to open areas, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.
<b><i>See Attached Historic District Guidelines (if necessary)</i></b> <b><i>See Secretary of the Interior Standards Analysis Below</i></b>			The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained in this section, the Historic District Guidelines located in Appendix C of the San Marcos Design Manual, and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior. <b><i>See attached Sections C.3.2.6 and C.3.3.5, Historic District Design Guidelines, Appendix C, San Marcos Design Manual</i></b>



# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



NEW WINDOW			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.  <b><i>The property will continue to be used as a single-family residence.</i></b></p>
<u>X</u>			<p>2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.  <b><i>The gable vent was not identified in My Historic SMTX as a distinctive feature.</i></b></p>
<u>X</u>			<p>3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.  <b><i>Addition of a window in this location will allow the property owner to modernize and continue to use the home without adding conjectural features.</i></b></p>
<u>X</u>			<p>4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.  <b><i>The gable vent was not identified in My Historic SMTX as a distinctive feature.</i></b></p>
<u>X</u>			<p>5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.  <b><i>Distinctive features of the home will be retained &amp; preserved. The gable vent was not identified in My Historic SMTX as a distinctive feature.</i></b></p>

# Certificate of Appropriateness

HPC-23-07 (835 West Hopkins Street)



NEW WINDOW			
Staff Evaluation			Secretary of the Interior Standards for Rehabilitation
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.</p> <p><b><i>The proposed plans show that where new siding and trim is needed to install the window, the new siding will match the existing in profile and material. The proposed new wood window should be installed to mirror the depth of the existing windows along the north side façade.</i></b></p>
		<u>N/A</u>	<p>7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.</p>
		<u>N/A</u>	<p>8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.</p>
<u>X</u>			<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p><b><i>The renderings show the proposed new window will not destroy the historic features that characterize the property. Additionally, the plans show that where new siding and trim is needed to install the window, the new siding will match the existing in profile and material.</i></b></p>
		<u>X</u>	<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p> <p><b><i>Should the window be removed in the future, the gable vent could be reconstructed using photographs.</i></b></p>

# TEXAS HISTORICAL COMMISSION

179

## Historic Resources Survey Form

**Project #:** 00046

**County:** Hays

**Address No:** 835

**Street Name:** W HOPKINS ST

**Local Id:** R35860

**City:** SAN MARCOS

**Block:** 2

### SECTION 1

#### Basic Inventory Information

**Current Name:**

**Historic Name:**

**Owner Information** **Name:** MCGEE THOMAS J II & BARRIE E

**Address:** 835 W HOPKINS ST

**City:** SAN MARCOS

**State:** TX

**Zip:** 78666

#### Geographic Location

**Latitude:** 29.877975

**Longitude:** -97.950292

**Parcel Id** Phase 2

**Legal Description (Lot/Block):** MITCHELL L W 15-14 LOT PT OF 2 BLK 3 GEO#332780744740

**Addition/Subdivision:**

**Year:**

**Property Type:** Building

**Listed NR District Name:** Hopkins Street Local Historic District

**Current Designations:** ☐ NR District

☐ NHL ☐ NR ☐ RTHL ☐ OTHM ☐ HTC ☐ SAL ☒ Local ☐ Other Is property contributing? ☒

**Architect:**

**Builder**

**Construction Date:** ca. 1890

**Source** Field survey

**Recorded By:** Elizabeth Porterfield/Hicks & Company

**Date Recorded:** 2/1/2019

#### Function

**Current:** Domestic

**Historic:** Domestic



### SECTION 2

#### Architectural Description

Ca. 1890 Folk Victorian-style residence with wood siding, original wood windows, transom, chamfered porch posts with jigsaw brackets, and metal cross-gabled/hipped roof with deck at ridge; identified as medium priority in 1997 Heritage Neighborhood Survey; recommended high priority today for high integrity and as significant example of style/type

☒ Additions, modifications **Explain:** Rear additions (historic age), rear porch/deck (not hist. age); replacement door

☐ Relocated **Explain:**

## Historic Resources Survey Form

Project #: 00046

Local Id: R35860

County: Hays

City: SAN MARCOS

Address No: 835

Street Name: W HOPKINS ST

Block: 2

## Stylistic Influence

Folk Victorian

## Structural Details

## Roof Form

Cross-Gabled, Hipped (with deck at roof ridge)

## Plan

L-Plan

## Roof Materials

Metal

## Chimneys

## Wall Materials

Wood Siding

## Porches/Canopies

**FORM** Shed Roof**SUPPORT** Wood posts (plain), Jigsawn trim, Brackets**MATERIAL**

## Windows

Wood, Double hung

## Doors (Primary Entrance)

Single

## Landscape Features

Detached garage (not hist. age); wooden picket fence

## ANCILLARY BUILDINGS:

Garage: Garage (not hist.)

Barn:

Shed:

Other:

## SECTION 3 Historical Information

## Associated Historical Context

Architecture, Community Development

## Applicable National Register (NR) Criteria:

- ☒ **A** Associated with events that have made a significant contribution to the broad pattern of our history
- ☐ **B** Associated with the lives of persons significant in our past
- ☒ **C** Embodies the distinctive characteristics of a type, period or method of construction or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinctions
- ☐ **D** Has yielded, or is likely to yield, information important in prehistory of history

## Areas of Significance:

Significant/intact example of style/type; reflects late 19th cent. dev. of neighborhood

## Periods of Significance:

ca. 1890-1975

**Levels of Significance:** ☐ National ☐ State ☒ Local**Integrity:** ☒ Location ☒ Design ☒ Materials ☒ Workmanship ☒ Setting ☒ Feeling ☒ Association

## Integrity Notes:

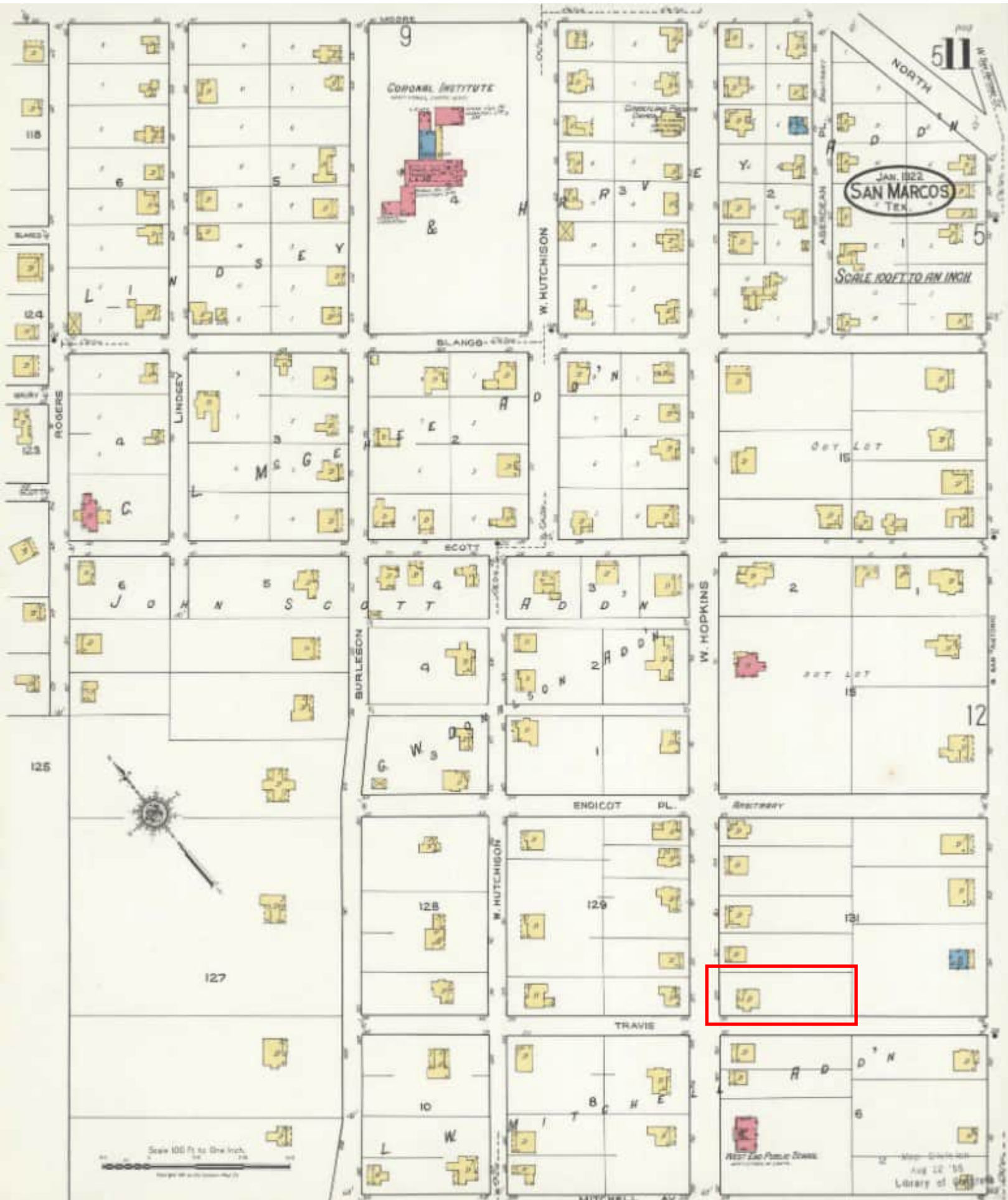
**Individually Eligible?** Yes**Within Potential NR District?:** Yes**Is Property Contributing?:** ☒**Potential NR District Name:** Hopkins Street Historic District**Priority** High**Explain:** High integrity/architecturally significant; contributing to local hist. dist.

## Other Information

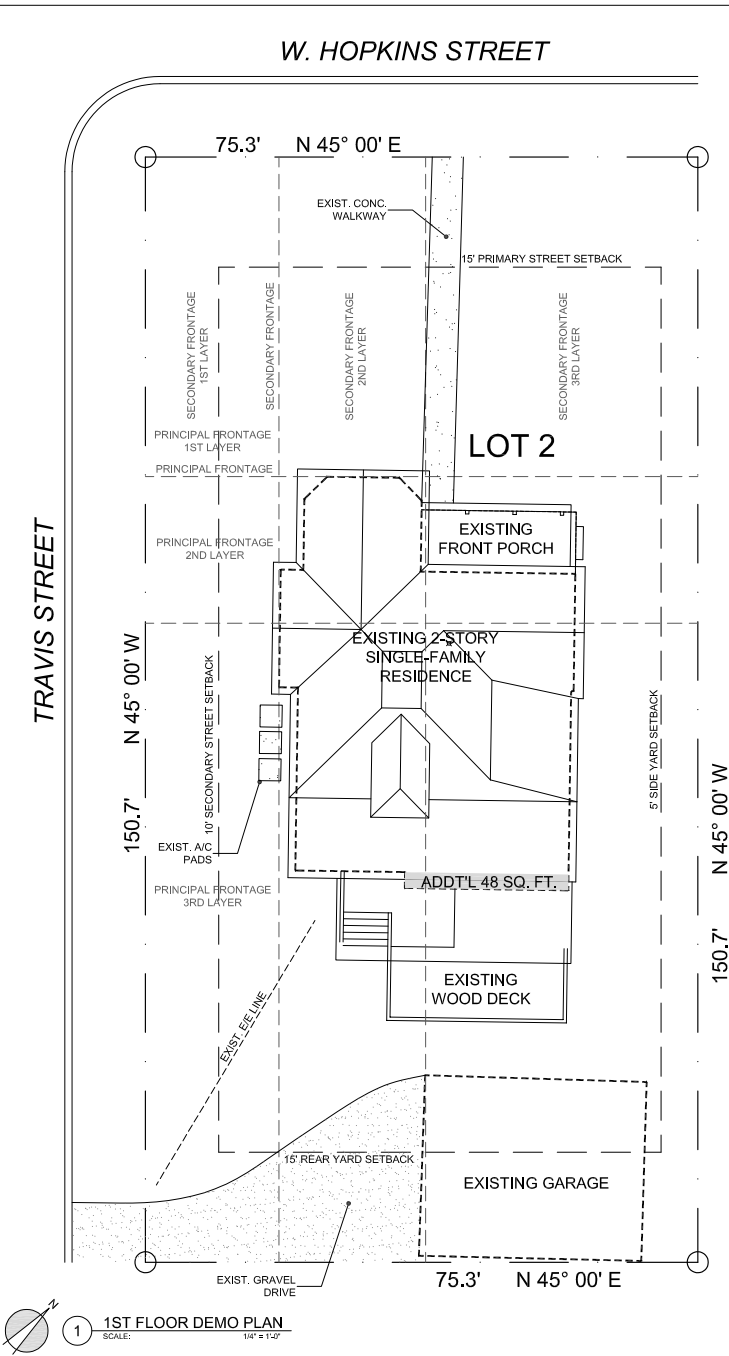
**Is prior documentation available for this resource?** Yes**Type** ☐ HABS ☒ Survey ☐ Other

## Documentation Details:

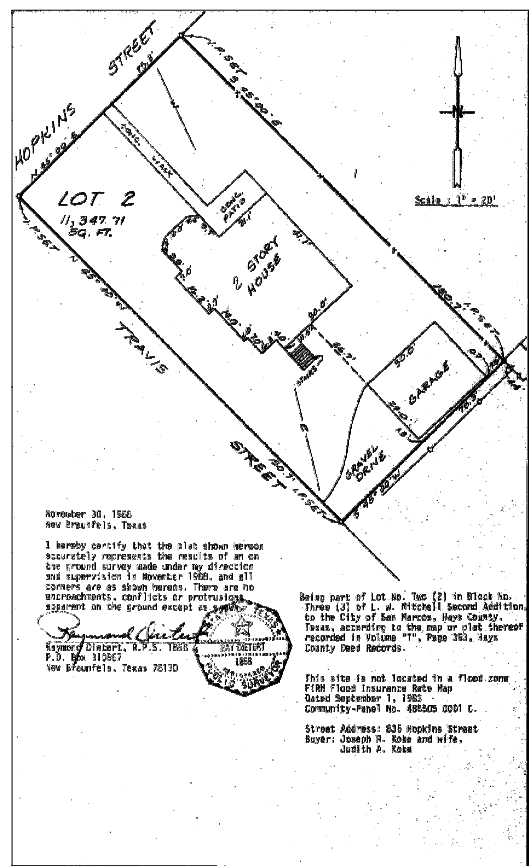
1997 San Marcos Heritage Neighborhood Survey (Keystone Architects)







AREA CALCULATIONS:		
<b>BUILDING AREAS:</b>		
EXIST. 1ST FLOOR:	1787 SQ. FT.	
EXIST. 2ND FLOOR:	684 SQ. FT.	
EXIST. DETACHED GARAGE:	840 SQ. FT.	
EXIST. REAR DECK:	310 SQ. FT.	
EXIST. FRONT PORCH:	126 SQ. FT.	
EXIST. TOTAL EXISTING CONDITIONED AREA:	2,351 SQ. FT.	
EXIST. TOTAL COVERED AREA:	3,627 SQ. FT.	
<b>ADDED 1ST FLOOR CONDITIONED AREA:</b>		
ADDED 2ND FLOOR CONDITIONED AREA:	48 SQ. FT.	
NEW TOTAL CONDITIONED AREA:	2,653 SQ. FT.	
<b>SITE AREAS - 11,352 SQ. FT. LOT SIZE</b>		
CONC. WALKWAY	201 SQ. FT.	
A/C PADS	27 SQ. FT.	
TOTAL IMPERVIOUS COVER:	2,881 SQ. FT. (25.4%)	



PROJECT:

NORTHCUTT RESIDENCE

835 W. HOPKINS STREET,

SAN MARCOS, TEXAS 78666

MIZNER DESIGN

3823A BEE CAVE RD

AUSTIN, TX 78746

512.363.3525

www.miznerdesign.com

ISSUE:

DATE:

C.O.S.M. SUBMITTAL

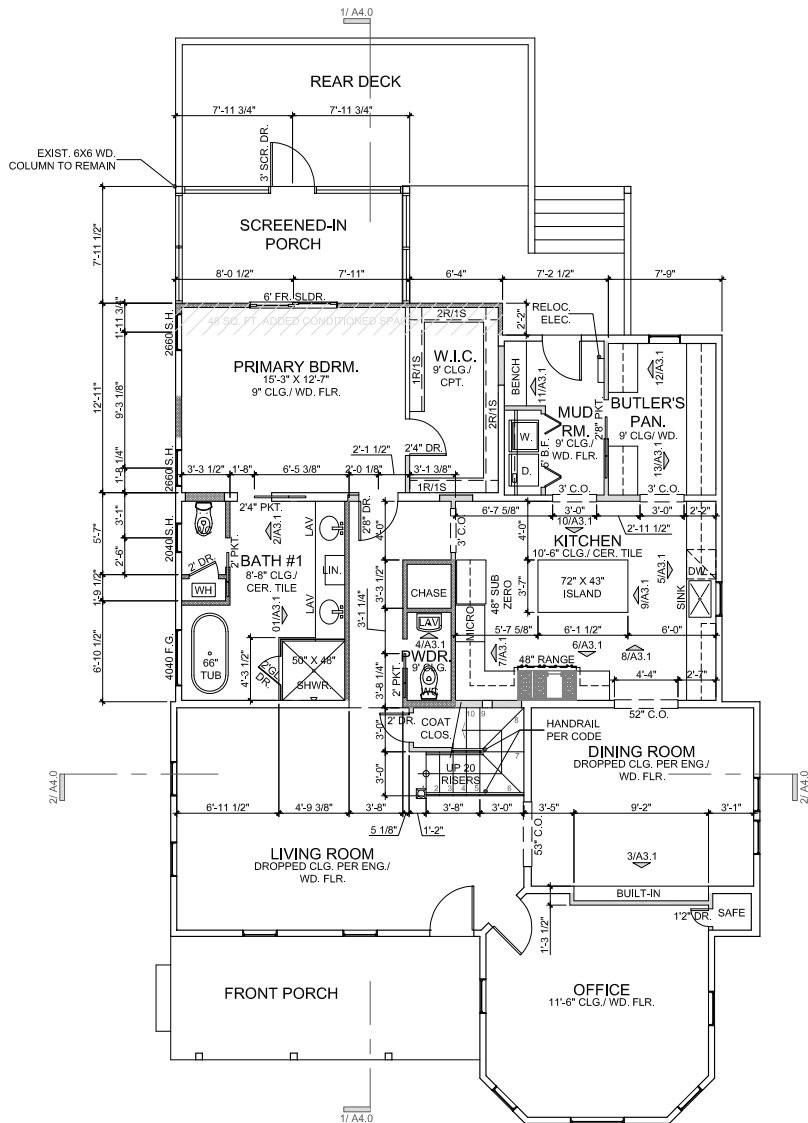
12.14.2022

STATE OF TEXAS

21st JUNE 2023

A1.0

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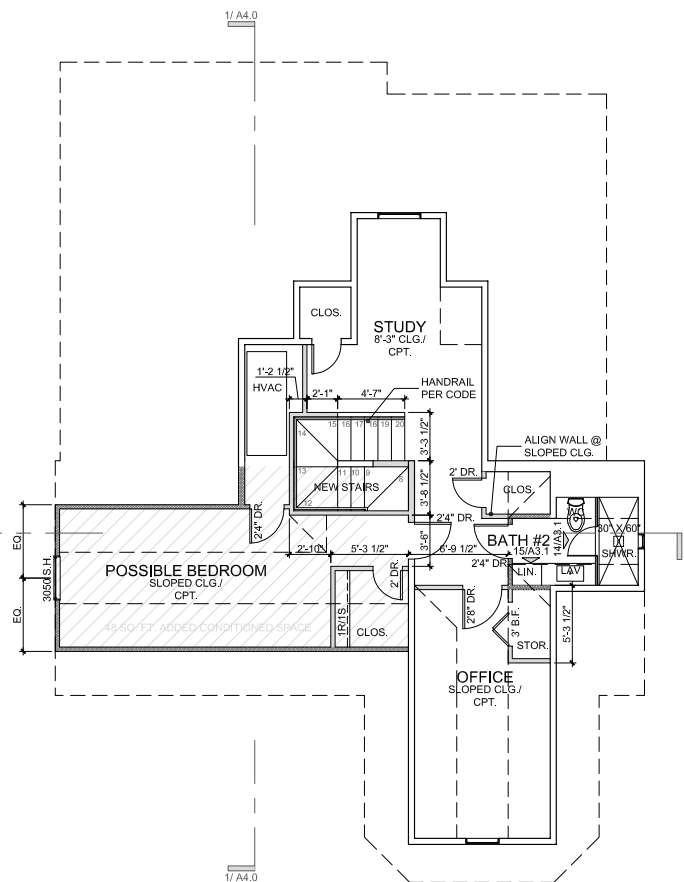
1 1ST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

#### GENERAL NOTES TO FLOOR PLAN

- REPORT ANY AND ALL DISCREPANCIES, ERRORS, OR OMISSIONS IN THE DOCUMENTS TO THE ARCHITECT PRIOR TO THE ORDERING OF ANY MATERIALS AND/OR COMMENCEMENT OF CONSTRUCTION.
- ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
- UNDER NO CIRCUMSTANCE SHALL ANY DIMENSION BE SCALED FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO CONSTRUCTION.
- WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENING REQUIREMENTS WITH MANUFACTURER.
- DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF THE ADJACENT DOOR, AND WINDOW TRIM BE ALIGNED U.O.A.
- ALL WORK SHALL CONFORM TO APPLICABLE LOCAL, STATE AND NATIONAL CODES WHICH TAKE PRECEDENCE OVER THESE DRAWINGS.
- ALL ANGLED WALLS TO BE VERIFIED IN FIELD.
- FRAME ALL DOORS AT 6" FROM CORNERS U.O.A.
- CONTRACTOR ACCEPTS FULL RESPONSIBILITY FOR AMENDED PLANS SHOULD ANY CHANGES BE MADE TO THESE PLANS BY BUILDER OR ANY OF THEIR REPRESENTATIVES.
- SEE SPECIFICATIONS / MATERIALS LISTS FOR ADDITIONAL INFORMATION.
- ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED - TYP.
- ALL WALLS TO BE "A" U.O.A. RE: WALL PARTITION SCHEDULE.

#### WALL TYPES

- EXISTING 2X4 WALL TO REMAIN
- NEW 2X4 WOOD STUD WALL W/ INSULATION AS REQ.
- NEW 2X4 WOOD STUD WALL INSULATION OPTIONAL (INTERIOR)
- EXISTING WINDOW & WALL
- NEW WINDOW ON NEW WALL (EXTERIOR)
- AREA OF ADDITIONAL SQUARE FOOTAGE



2 2ND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

PROJECT:  
**NORTHCUTT RESIDENCE**  
835 W. HOPKINS STREET,  
SAN MARCOS, TEXAS 78666

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**A2.1**

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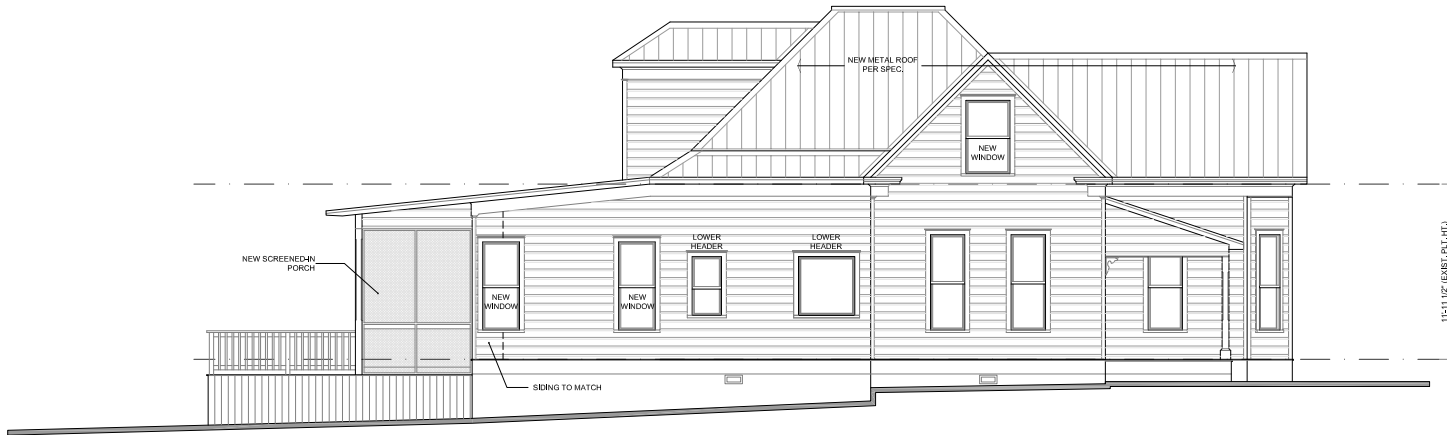
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**A3.0**

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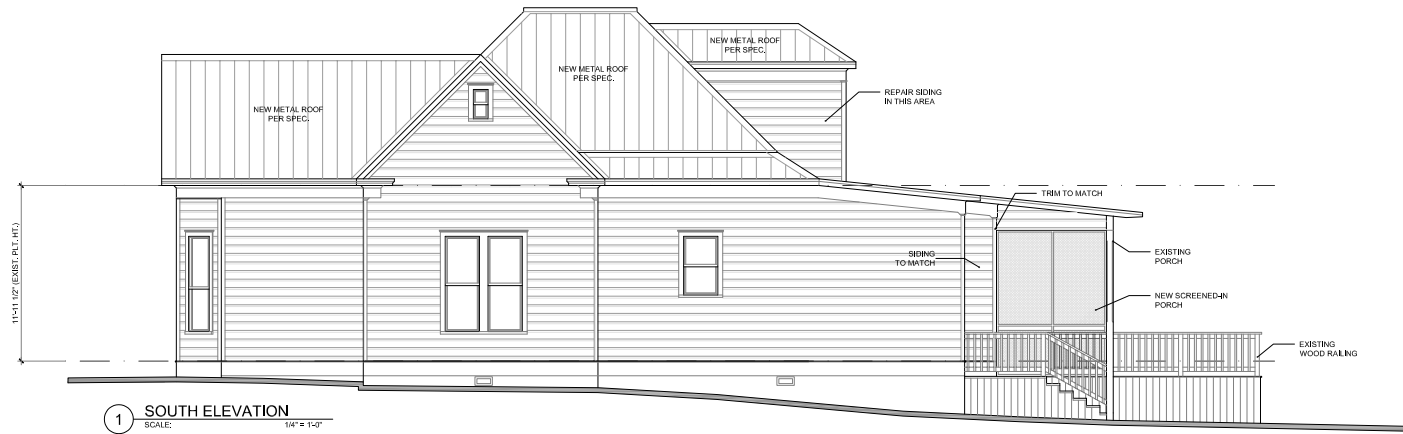


1 **NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

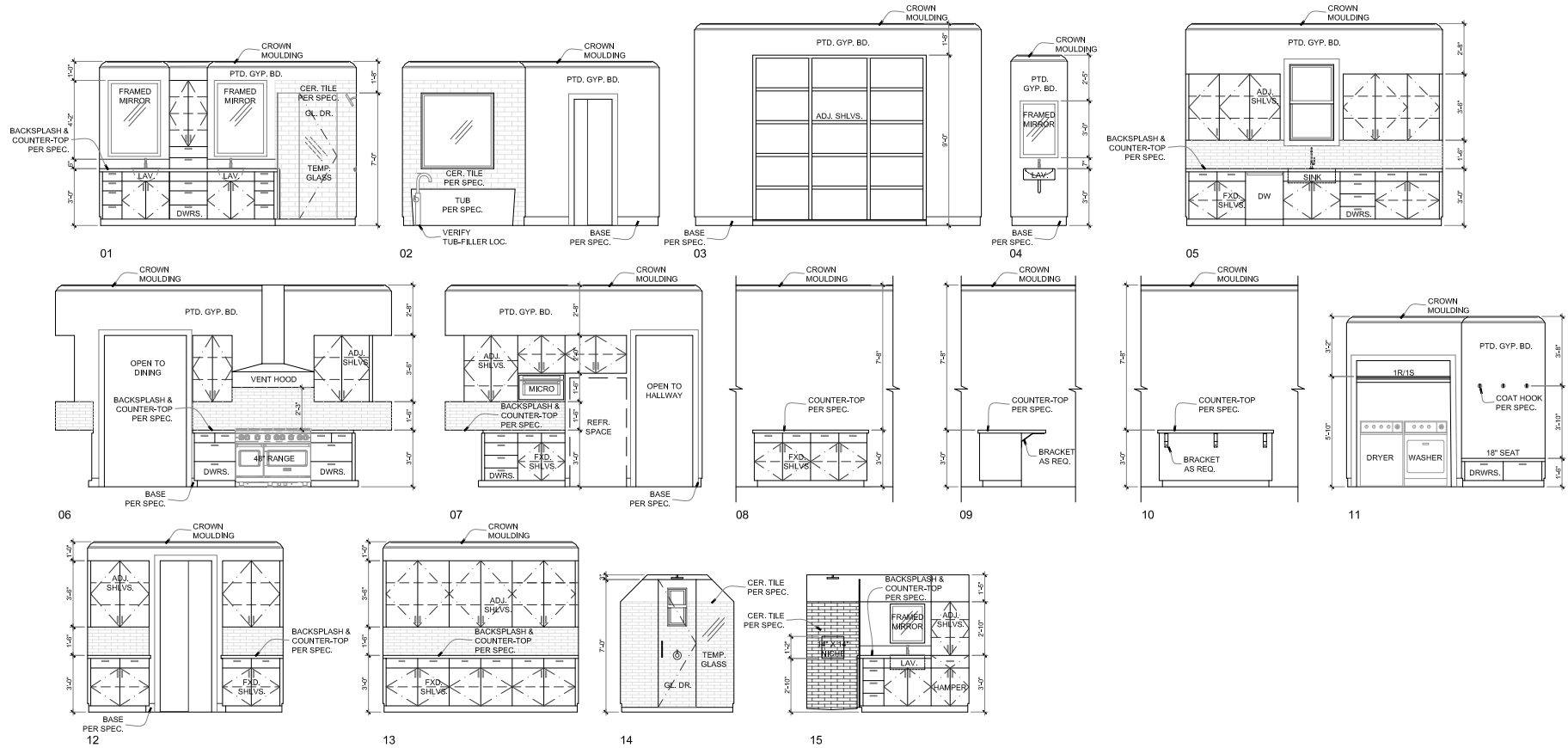


2 **EAST ELEVATION**  
SCALE: 1/4" = 1'-0"





1 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



2 INTERIOR ELEVATIONS  
SCALE: 3/8\"/>

PROJECT: **NORTHCUTT RESIDENCE**  
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**A3.1**

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HPC-23-07 Photos from Applicant (Area of Alteration)



*Rear Porch*





*Rear Porch*



*Rear Porch*





*Gable Vent from Side Yard*

sometimes necessary, their placement and approach should respect the original “front line” of the house. This would place them behind the existing setback. Locating them to the rear of the property is preferable.

- D. Front yards are defined by sidewalks, yard curbs, short walls, boundary walls made of stone, brick, concrete or concrete block. These walls are low in profile and do not obscure the house. Front yard fences are not common in these neighborhoods, but there is evidence of historic fences in the Belvin Street Historic District.
- E. The following guidelines are recommended:
  1. Retain the orientation of the house to the street. To change the entrance from the front would alter the pedestrian approach and rhythm.
  2. Removing or relocating the sidewalk from the street would break the rhythm of the neighborhood. Broken sidewalks should be replaced but the location should remain. The material should match the original or should be compatible with the house and the surrounding neighborhood. Materials such as stone, concrete or brick pavers, and decomposed granite are appropriate replacement materials and are not as harsh as large expanses of concrete.



**Strong pedestrian approach (220 N Johnson Ave)**



**Retain orientation of house to street (921 W San Antonio St)**

3. Driveway locations should not be altered if it affects the rhythm of the street. Materials that might be used for a driveway are gravel, pea gravel with a brick or metal edge band, pavers, concrete strips or “ribbons” and asphalt. Front yard circular drives are not appropriate to the neighborhood because they encroach on the setback and break the rhythm on the street.
4. The style of the house and the surroundings should be considered when thinking of any type of front yard fence. For example, an ornate Victorian fence would look out of place in front of a Craftsman style house.
5. Review the reason for wanting to install a front yard fence. Did one exist historically? Houses constructed in the 1880s had front yard fences to keep livestock from roaming into the yard. Houses built in the 1920s had no fences in the front yard, which reflected a “progressive” movement when fencing laws reduced the chance for roaming livestock.
6. Can the fence be installed at or behind the setback line?

### Section C.3.2.6 Modern Conveniences and Amenities

- A. Historic homes offer charm and character not always found in current residential construction. As families grow and residents grow older, needs change. Air conditioning is a welcome relief from the heat and humidity in San Marcos. Additional rooms and bathrooms may be necessary as children get older. Steps may become impossible to maneuver with age or a disability.

The installation of a “no-step entrance” or ramp can maintain or prolong one's independence and mobility.

- B.** Adapting a historic home for modern use, while maintaining the home's original character, requires thoughtful planning. Weigh the safety and comfort concerns with that of historical accuracy, economic feasibility and long term impact. Ask yourself “How can this improvement or necessity be installed or removed without causing irreparable damage to the historic character of the house or neighborhood”.
- C.** The following includes some of the commonly installed amenities and additions to historic properties:
1. Carefully consider access ramps for temporary or long term disability, and the location and impact of the ramp on the house and neighborhood. The removal of a small section of railing on the side of a porch may be more convenient and less intrusive than to the front of the house. If the porch is not elevated, consider replacing the sidewalk with an incline to eliminate steps at the porch or door.
  2. Air conditioning and electrical equipment should be installed in such a way that it will not damage important architectural features. Study possible locations for the equipment and install it where it is least visible from the street or can be screened with planting material.
  3. Antennas and satellite dishes are considered a removable fixture but with some thought can be sited away from public view.
  4. Chimneys are an important architectural feature and the removal or alteration of existing chimneys alters the historical integrity of the house.
  5. Decks and patios can be compatible with historic houses if thought is given to location, proportion and materials.
  6. Dormers are important to the composition of the roof and should not be eliminated. Scale and form should be retained. New dormers may allow for additional use of the attic, but should be designed to match the style of the original house.
  7. Flags and banners are considered a removable amenity but care should be used when mounting to not damage the historic materials of the house.
  8. Light fixtures located on the building exterior, porches, pathways and paved areas should be appropriate in design, scale and character of the house. There are many available adaptations of fixtures in various architectural styles. A Victorian light fixture is appropriate with a Victorian house but not appropriate with a Ranch or Craftsman style house.
  9. Mailboxes and mail slots should be simple and as unobtrusive as possible. Mailboxes can be obtained in styles compatible with the time period of the house.
  10. Shutters may be installed if they are in keeping with the style of the house and the period of construction. Shutters should be correctly proportioned to the width and height of the window and should be installed with hinges rather than nailed to the wall.
  11. Skylights can add light to interior spaces and may make attic spaces more useable. If flat in profile and positioned away from public view skylights can be installed in older houses. Bubble dome skylights are not appropriate.
  12. Storm/screen doors and windows can be installed without hiding the historic door and surrounding features. Metal framed doors and window screens are acceptable if selected with a white factory finished or painted the color of the door and window trim. Wood storm/screen doors and windows designed for the style of the house can be purchased at most lumber yards.
  13. Orient garages away from the primary view and install single car doors instead of double wide doors.
- D.** As you formulate your ideas to modify and improve your home, questions will arise. There are many sources available for advice and assistance including a neighbor who has completed a similar project, the Texas Historical Commission, City Staff and the National Trust for Historic Preservation. Helpful resources can be found on the City's website.





Porches may be closer to ground (220 N Johnson Ave)

### Section C.3.3.3 Exterior Wall Surfaces

- A. The most common exterior wall material in the San Marcos Residential Historic Districts is horizontal wood siding of numerous profiles. Brick, stone, stucco and asbestos shingles were also used as the original wall surface material on some houses. Other siding materials found in the districts include decorative wood shingles which are frequently seen on gable end walls and on turrets. Board and batten siding, which is a vertical wood siding, is common for outbuildings.
- B. The original siding material is still in place and visible on the majority of homes in the neighborhoods. However, some of the houses have been covered with brick, stucco or synthetic sidings such as asbestos, vinyl or aluminum.
- C. The following guidelines are recommended:
  1. The exterior wall surface material is an integral part of the original design, style and character of the house.
  2. Each material requires different types of maintenance, which can be referenced in the residential building materials section of this document.
  3. It is important to retain the original wall surface because of the character of its dimension, profile and shadow lines to each distinctive material.
  4. If the building was constructed with wood siding and needs repairs or board replacement, most siding types are still manufactured and available from suppliers or can be milled for a nominal set up fee. Many of the wood sidings have been on the houses for nearly one hundred years and

may well last another hundred if properly maintained and painted.

5. For the integrity of the neighborhood and the house itself, it is not recommended that any synthetic siding be installed over existing wood siding. The installation of synthetic siding changes the appearance of the house and conceals the original details. Additionally, synthetic sidings trap moisture in the wall causing deterioration of the historic material beneath.
6. A property owner is not required to remove synthetic siding from a house which currently has such siding installed. However, the removal of newer siding or wall surface material and the repair of original siding and trim is encouraged. This would help return a building to its original character.



Horizontal wood siding is the most common exterior wall surface (716 W Hopkins St)



Retain original wall surface to retain character (727 W Hopkins St)



### Section C.3.3.5 Windows

- A.** Windows play an important role in the character definition of the houses and the overall neighborhood. The proportion, material and organization of windows in the wall help to establish a construction date of the house. The detail of the window is frequently a key characteristic in identifying an architectural style.
- B.** The majority of windows in the Belvin Street and San Antonio Street historic homes are the traditional wood, double hung, rope and pulley system. Many of the houses have a simple one over one configuration while others have multiple pieces of glass in a single window sash.
- C.** A few houses were constructed with steel casement windows, which were a modern installation in the 1930s. These windows are not known for their energy efficiency, but can be maintained and made more efficient by installing a storm window on the inside of the house.
- D.** The following guidelines are recommended:
  1. Original windows should be retained as they are a strong character defining feature on a house.
  2. It is not necessary to replace an entire window if only a portion is in need of repair. Consider replacing the deteriorated portion only. A single sash can be made to replace a deteriorated one.
  3. Proper window fit, weather stripping, new glazing compound at the glass, and sealant around window frames can improve the energy efficiency of wood windows substantially, while retaining its historical character.
  4. If windows are missing or if frames are deteriorated beyond repair, replace them with a window of the basic dimension and profile as the original.
  5. Imitation dividers or “snap-in” muntins that do not truly divide and hold pieces of glass should be avoided.
  6. Most aluminum windows are not considered an option and have not been proven to be more energy efficient than a well maintained wood window.

7. Replace original glass only when broken as the wavy quality of the historic glass adds to the character of the house. If glass is broken, attempt to replace with old wavy glass.



Tall narrow openings and glass in the sash help to establish a date of the house (716 Belvin St)



Example of different window configurations (832 Belvin St)



Window screens with detail appear on Craftsman and Prairie style houses (620 Rogers St)

inherent property in stucco due to the shrinkage of the plaster. Small cracks can be concealed by applying an elastomeric paint which has the ability to stretch and return to its shape. Large cracks can be repaired and deteriorated or missing stucco can be replaced with stucco that matches the texture and composition of the original material.

- C.** Stucco is a material to be used as the initial exterior wall surface of a building. It is not intended to be installed over another wall surface material. Installing stucco over a wood siding will cause the wood beneath to deteriorate and will change the overall appearance of the house by eliminating the original detail and shadows of the boards.
- D.** The following guidelines are recommended:
  - 1. Retain and maintain original stucco.
  - 2. Avoid installing stucco over another material.

**Section C.3.4.5 Wood**

- A.** Wood was the primary building material in residential construction in San Marcos. It was readily available, did not require the skills of as many craftsmen, and was used for structural elements as well as skin.
- B.** The majority of houses built during this period on Belvin Street and San Antonio Street are covered with horizontal wood siding. Wood with a tapered profile is in clapboard or lap siding while a milled profile has a more decorative shape. Board and batten, which is a vertical siding, is commonly used on outbuildings such as garages, barns and sheds, and occasionally on small houses. Another common use of wood is decorative wood shingles used as a siding, which was relatively easy to use as a decorative feature on gable ends, turrets, or dormers. Patterns included fish scale, diamond, square cut, and rounded. Wood shingle roofs, although common, are not presently found on the historic houses in the two areas. This may be the result of previous replacement due to deterioration.
- C.** Wood details are found on all houses from all styles and periods of construction. Victorian and Classical styles include ornate turned columns, spindles, box columns, columns of classical order, brackets, bargeboards, cut and turned frieze details, elaborate doors and door surrounds. Less ornate details of the Craftsman, Folk Victorian and Colonial Revival

styles include box columns, brackets and simple porch railings. Wood was the most common material used for porch flooring and is prone to decay because of the exposure to weather conditions. Flooring was usually a high quality wood that was painted on all sides and edges prior to installation to prolong the life of the wood.

- D.** Wood is the primary skirting material on historic houses. Because houses were built above ground on posts and beams, a skirt was constructed from the floor level down to the ground. This skirting usually reflects the same siding profile as the house, was a wider horizontal board, or was a wood lattice, which allowed for ventilation. This wood lattice was commonly installed as a horizontal/vertical grid, rather than the wood lattice which is available today. Solid skirt materials must be vented to allow air to pass under the house and eliminate moisture from the foundation.
- E.** The following guidelines are recommended:
  - 1. Retain and repair wood siding and details.
  - 2. Replace missing or badly deteriorated wood features with wood of the same dimension and profile.
  - 3. Refrain from installing synthetic materials over existing wood materials because they frequently cause the historic material to rot.
  - 4. Refrain from replacing a deteriorated wood feature with another material.
  - 5. Explore the use of epoxy wood repair materials in lieu of replacing an entire wood member. This has proven effective on rotted column bases, window sills and sash, etc.
  - 6. Replace rotted wood that is in contact with the ground with a chemically treated wood to prolong the life of the feature. This can be done on skirting and steps. Treated wood can be used to rebuild lattice skirting by cutting strips from standard treated 2x4 material. All treated wood should be thoroughly dried prior to installation.

**Section C.3.4.6 Synthetic Materials**

- A.** With the advent of plastics and modern methods of forming materials, which were not available until after World War II, home owners have been influenced by the promise of

# CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Updated: September, 2020



## CONTACT INFORMATION

<b>Applicant's Name</b>	Derek Mizner	<b>Property Owner</b>	Cathy and Robert Northcutt
<b>Company</b>	Mizner Design	<b>Company</b>	
<b>Applicant's Mailing Address</b>	3823A Bee Cave Road Austin, TX 78746	<b>Owner's Mailing Address</b>	214 Lazy Lane San Marcos, TX 78666
<b>Applicant's Phone #</b>	512.363.3525	<b>Owner's Phone #</b>	512-633-1450
<b>Applicant's Email</b>	derek@miznerdesign.com	<b>Owner's Email</b>	robcatnorthcutt@gmail.com

## PROPERTY INFORMATION

**Address of Proposed Work:** 835 W. Hopkins, San Marcos, TX 78666

**Historic District:** Hopkins Street Local Historic District

**Tax ID #:** R 35860

**Legal Description:** Lot 2

Block 3

**Subdivision** L. W. Mitchell Second Addition

**Historical Designation(s) of Property, if applicable:**

☐ National Register of Historic Places ☐ Recorded Texas Historic Landmark

## DESCRIPTION OF PROPOSED WORK

Please use this space to summarize the proposed work (*Please be specific. Use additional pages if necessary.*)

Interior remodel of existing single-family residence with additional 48 sq. ft. at 1st floor rear of house. 254 sq. ft. of existing attic space to be converted to conditioned space.

## AUTHORIZATION

*Applicants or their agent are advised to attend the meeting to present information to the Historic Preservation Committee and to answer any questions the Historic Preservation Committee may have regarding the project. Failure to attend an HPC meeting may result in postponement or denial of the application.*

*I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Filing Fee \$0

Technology Fee \$13

**TOTAL COST \$13**

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**



## AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

*I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.*

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

2/13/2023

Print Name: Derek Mizner

Form Updated October, 2019

## PROPERTY OWNER AUTHORIZATION

I, Cathy Northcutt (owner name) on behalf of  
\_\_\_\_\_  
(company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
835 W. Hopkins Street, San Marcos, Texas 78666 (address).

I hereby authorize Derek Mizner (agent name) on behalf of  
Mizner Design (agent company) to file this application for  
Certificate of Appropriateness (application type), and, if necessary, to work with  
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:

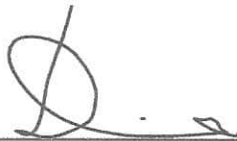


Date:

2/14/2023

Printed Name, Title: Cathy Northcutt

Signature of Agent:



Date:

2/13/2023

Printed Name, Title: Derek Mizner, Architect

Form Updated October, 2019



## **HPC-23-07**

### **Rear Addition**

Staff finds request consistent with the following:

- **Sections 4.5.2.1(l)(1)(a), 4.5.2.1(l)(1)(d), 4.5.2.1(l)(1)(e), 4.5.2.1(l)(1)(f), 4.5.2.1(l)(1)(g), 4.5.2.1(l)(1)(h), and 4.5.2.1(l)(1)(j) : San Marcos Development Code**
- **Standards 1, 2, 3, 5, 6, 9, and 10 : Secretary of the Interior Standards for Rehabilitation**

## **HPC-23-07**

### **New Window**

Staff finds request consistent with the following:

- **Sections 4.5.2.1(l)(1)(c) and 4.5.2.1(l)(1)(g):** San Marcos Development Code
- **Standards 1, 2, 3, 4, 5, 6, and 9 :** Secretary of the Interior Standards for Rehabilitation

Staff finds request neutral against the following:

- **Standard 10:** Secretary of the Interior Standards for Rehabilitation



# MEMO

**TO:** San Marcos Historic Preservation Commission  
**FROM:** Alison Brake, Historic Preservation Officer  
**DATE:** March 16, 2023  
**RE:** Item 4: Site Elements in Historic Districts

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Commissioner Baker requested that this item be placed on the agenda for discussion. The following information is intended to facilitate discussion among the Commission.

The site of a historic building is usually an essential feature in defining its historic character. Accordingly, the Secretary of the Interior's Standards for Rehabilitation require that a rehabilitation involve minimal change to the defining characteristics of a building and its site and environment. When applying the Standards for Rehabilitation For example, the Guidelines for Rehabilitating Historic Buildings stress that site changes such as locating new parking lots adjacent to historic buildings and other landscape changes can impair the defining characteristics of a property. Additionally, if a building is moved onto the site of a historic building, the Guidelines for Rehabilitating Historic Buildings note that this can create a false historical appearance. Such major changes can result in an overall rehabilitation that fails to meet the Secretary's Standards even when work on the historic building itself is not in question. Drastic changes to the surrounding grading, landscape features, or incompatible new construction on the site, diminish a historic property's ability to convey its historic significance.

The San Marcos Historic District Design Guidelines ("Design Guidelines") utilized today were originally drafted in 1999; they are now found in Appendix C of the San Marcos Design Manual. There are not specific guidelines that correlate to site-specific elements, such as sidewalks and fencing, within the Design Guidelines, just brief mentions of these elements within other sections of the Design Guidelines. However, Section C.3.2.4, attached, provides guidance on reviewing district characteristics. This section calls attention to the importance of many elements that help define the historic districts. Two of these are related to importance of site features: the rhythm of the street and the walls of continuity. Rhythm is created by the spacing between houses, the location and spacing of sidewalks from the curb to the entrances of the houses, the location and spacing of the driveway entrances to each property. The rhythm of the street adds to the visual continuity and establishes the organization for a neighborhood. The front of each building, its walls, its porch alignment and even fences help define a "wall" that establishes a visual pattern along the streetscape, and this is what creates the visual continuity of the neighborhood/district. It starts at the street, a straight line of uniform width. A curb runs along the street defining the green space of the parkway followed by the sidewalk. Each of these elements work to organize a neighborhood. These organizational elements along with orientation and placement of houses on the lot establish the visual continuity of a neighborhood.

Other municipalities in Texas provide specific design standards within their historic design guidelines which speak to residential site design elements, such as walkways and sidewalks. Staff reviewed two Texas cities, San

Antonio and Galveston, and has provided a brief summary below of their findings. Staff kept the review to residential standards after a discussion with Commissioner Baker.

## Galveston

In 2012, the City of Galveston adopted their *Design Standards for Historic Properties*. These standards apply to the exterior of Galveston Landmarks, including locally designated individual historic landmarks and properties in locally designated historic districts. The standards also apply to new construction and additions in locally designated historic districts.

Chapter 3 provides “Design Standards for Residential Properties”. Following a general description of Galveston’s residential development patterns, the standards in this chapter are organized into a general section applicable to all residential projects, including both historic rehabilitation and new construction, and a section that applies only to new residential construction and additions in locally designated historic districts. Within each section, residential site standards are outlined; attached.

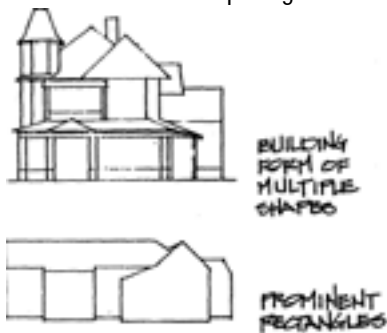
## San Antonio

Similar to Galveston, the City of San Antonio adopted new *Historic District Design Guidelines* in 2012. Chapter 5 generally applies to all site element modifications on properties that are located within a locally designated historic district or that are individually designated landmarks. This section specifically applies to all modifications to site elements as defined by the San Antonio Unified Development Code Section 35-611, which refers to the administrative approval of Certificates of Appropriateness for certain minor alterations, additions, ordinary repairs, or maintenance. Chapter 5 is attached as well as Section 35-611; highlighted in Section 35-611 are site elements.

1. Unique concrete street markers located at San Antonio Street intersections designate the block number and street name.
2. The San Antonio Street Historic District has a larger collection of Craftsman and modern housing styles than the Belvin Street Historic District.
3. Many of the yards have a “curb” just inside the sidewalk which further defines the yard from the parkway.
4. There have been many alterations to the houses in the San Antonio Street Historic District.
5. The density of San Antonio Street is substantially greater than that of Belvin Street due to the lot size and development pattern.

### Section C.3.2.4 Definitions of Historic District Characteristics

- A. Building Form.** Building form is primarily dictated by the style of the building. For example, Queen Anne and Victorian styles are recognizable by their compositions of multiple shapes which include bays, dramatic roof lines, dormers and porches. The Craftsman style is derived from a simplified rectilinear plan. The Neoclassical building also derived its form from a rectilinear plan but has a dominant central entry porch with columns which extend the full height of the building. The Tudor form is derived by one or more prominent cross rectangles, its building materials (principally masonry and stone) make it less compartmentalized with fewer openings.

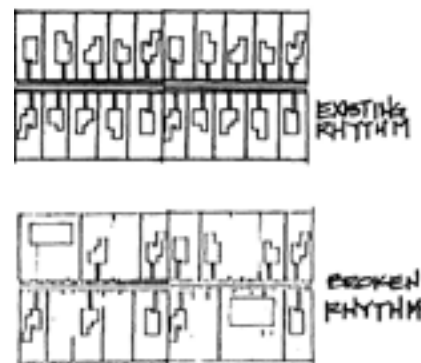


- B. Scale.** The scale of a building is measured as the relationship of building size to something else, such as a human. Windows, entrances, porches, bays and the dimension of building

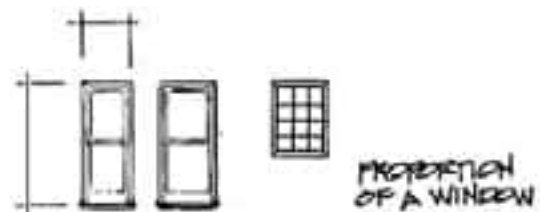
materials contribute to the overall scale of the building. The houses in these districts are one or two stories high and are considered to be “human” scale.



- C. Rhythm.** The rhythm of a street is created by the spacing between houses, the location and spacing of sidewalks from the curb to the entrances of the houses, the location and spacing of the driveway entrances to each property. The rhythm of the street adds to the visual continuity and establishes the organization and site design guidelines for a neighborhood.



- D. Proportion.** Proportion is the relationship of the dimensions of an object to itself, such as height to width. Proportion is inherent in all aspects of a building form, components and material. As an example, older homes with higher ceiling heights have windows that are taller than they are wide. This proportion is approximately 2 1/2 high to 1 wide. House styles of the 1960s to 1980s usually have lower ceiling heights so their windows are shorter and wider.



- E. The Relationship of Materials and Texture.** The materials and texture of each home is representative of the style and period of construction. The texture of a material can express mass. The

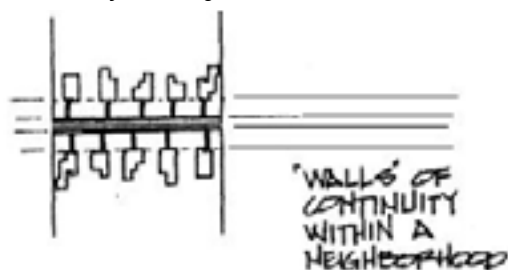


inherent properties and dimensions of construction materials like brick and wood boards help in understanding the home's size, scale and proportion. Because stucco has no dimension, it is difficult to measure its relationship to the scale of a building. Tudor houses, for example are constructed mainly of brick and stone and because of the size and texture of these materials, the houses express mass with a rustic appearance.



CONTRASTING  
MATERIALS  
EMPHASIZE  
DETAIL

- F. Walls of Continuity.** The front of each building, its walls, its porch alignment and even fences help define a “wall” that establishes a visual pattern along the streetscape. Each neighborhood has visual continuity, starting at the street which is basically a straight line of uniform width. A curb runs along the street defining the green space of the parkway followed by the sidewalk. Each of these elements work to organize a neighborhood. These organizational elements along with orientation and placement of houses on the lot establish the visual continuity of a neighborhood.



- G.** Due to the difference in lot size between the Belvin Street and San Antonio Street Districts, the visual continuity and rhythm are different. Each neighborhood has its own established organization which should be respected.
- H.** As changes are proposed to a site or house, review the lines of continuity and rhythm established in the neighborhood. Look at the scale, form and proportions of proposed changes. Will the proposed project retain and enhance the characteristics or will it create change?

### Section C.3.2.5 Site Development and Orientation

- A.** The organization pattern established in each Historic District guides the development and proposed alteration of each site. Historic neighborhoods were designed to be pedestrian friendly since walking was a major mode of transportation. Houses face the street with a logical, visible entrance and a sidewalk that leads from the street to this entrance. Sidewalks from the street to the front door help establish rhythm.
- B.** There is an established distance from the street to the house, which is called a setback. This setback reinforces the importance of the entrance and orientation of the building. Building beyond this setback would change the visual continuity established.



Concrete ribbons leading to garage behind the house (921 W San Antonio St)



Front yard fence does not obscure the house (730 Belvin St)

- C.** Driveway approaches in the front yard lead to garages and secondary outbuildings, which are located behind the main house. Contemporary style houses have incorporated their garage or carports into their house plan, but typically they do not project beyond the established front wall of the house. While the construction of new garages and carports is

CITY OF GALVESTON

# DESIGN STANDARDS for HISTORIC PROPERTIES



APRIL 30, 2012 

# DESIGN STANDARDS FOR ALL RESIDENTIAL PROPERTIES

Maintaining the compatibility of historic residential sites and buildings is an important objective. The standards in this section apply to all residential projects. This includes work on a locally-designated individual historic residential landmark and work on a contributing historic structure or new construction in a locally-designated historic district. Note that standards for specific “historic” considerations such as the treatment of historic porches, do not apply to new construction or additions.

## Residential Site Standards

The site layout of individual residential properties is an important characteristic of Galveston’s historic residential areas. Important site considerations include walkways, yards, fences, parking and planting.

### SIDEWALKS AND WALKWAYS

Historically, a variety of paving materials on Galveston’s residential properties. Paths or walkways were gravel or oyster shell. Brick, unglazed tiles, slate, concrete, and packed earth were also used.

Sidewalks placed in City right-of-way must adhere to City Code requirements, with proper permits obtained from the Department of Public Works.

#### 3.1 Maintain a historic sidewalk.

##### *Appropriate*

- Maintain historic stamped sidewalk impressions. (These are the names of the contractors that installed the sidewalk)

#### 3.2 Visually connect the street and building.

##### *Appropriate*

- Maintain or install a walkway leading directly from the sidewalk to the main building entry.

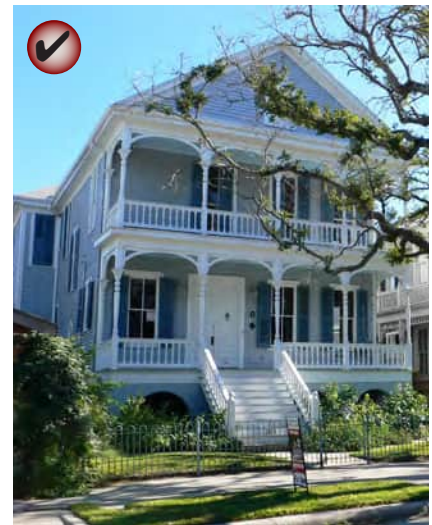
#### 3.3 Install new sidewalks to be compatible with historic ones in the area.

##### *Appropriate*

- Maintain the existing width of neighboring sidewalks.
- Use traditional materials such as brick or concrete (oyster shells, unglazed tile, slate/stone, or loose gravel may be considered if they do not negatively affect accessibility and safety).

##### *Inappropriate*

- Pebble-surface concrete is not permitted.
- Asphalt is not permitted.



A walkway should lead straight from the sidewalk to the main building entry.



## Administrative Approval of Fences



As summarized in “Administrative Approval” on page 16 and the table on page 17, installation of some fences may be administratively approved by the HPO or designated City staff.

A fence may be administratively approved if it:

- Is consistent with the style of the building
- Does not exceed 48”
- Surrounds a swimming pool and does not exceed 5’ or a height dictated by state and local law
- Is located behind historic privacy walls that exceed 5’ and is not substantially visible from the city right-of-way
- Is located on a corner yard, matches the front yard fencing and does not exceed 4’ in height

Additional flexibility exists for a non-corner side or rear yard fence. Such a fence may be administratively approved if it:

- Is solid cedar not exceeding 6’ in height with an additional 2’ of framed wooden lattice for a total height of up to 8’
- Is cast or wrought iron not exceeding 8’ in height

A fence that does not meet at least one of the above criteria must be reviewed by the Landmark Commission.

## YARDS

The progression of public to private space on a property is an important characteristic in Galveston’s residential districts. A grassy front lawn, with accent planting and shade trees are essential features.

### 3.4 Provide a landscaped front yard.

- Reserve most of the front yard area for a grass lawn.
- Do not pave the front yard.
- Consider using decorative modular pavers, grass and cellular paving systems in order to minimize the impact of hard surface paving where grass or other plant materials are not used.

## FENCES AND WALLS

Fences and low walls have defined Galveston front yards since the 19th century. Wood picket and cast-iron fences were the most common historic fence materials. Some more elaborate fences have an unusual combination of cast and wrought-iron materials. Low walls that followed the sidewalk line were masonry and frequently stuccoed brick. Front yards were not enclosed with high walls; these were confined to rear yard areas.

Fences may be placed on the property line, but may not extend into the City right-of-way, without a License to Use Agreement with the City.

### 3.5 Maintain historically significant fences and masonry site walls.

- Maintain historically significant wooden picket or cast iron fences.
- Maintain historically significant stuccoed brick or concrete masonry site walls.



Maintain historically significant cast iron fences and stuccoed brick or concrete masonry site walls.

### 3.6 Design a new fence to be compatible with the architectural style of the house and existing fences in the neighborhood.

#### *Appropriate*

- Install a painted wood picket fence (this is the preferred option in most historic residential areas, and is often the easiest to install).
- Install a simple wood-and-wire fence, provided that it is appropriate to the style of the house and does not exceed 48" in height.
- Install a cast-iron or other metal fence not exceeding 48" in height if located in the front yard.
- Install a fence that uses alternative materials that have a very similar look and feel to wood, proven durability, matte finish and an accurate scale and proportion of components. See "Using Alternative Materials on a Historic Structure" on page 31 and the table on page 17 for more information (may be appropriate if consistent with the approach described in "Interpreting the Design Standards" on page 16).

#### *Appropriate for a Non-Corner Side or Rear Yard Fence*

- Install a fence that uses alternative materials with proven durability, matte finish and an accurate scale and proportion of components.
- Install a simple wood-and-wire fence, provided that it is appropriate to the style of the house (may exceed 48" in height if compatible).

#### *Inappropriate*

- Do not install chain link fencing.
- Do not mix wooden and metal fence styles.
- Do not use heavy brick fence posts unless there is historic documentation of their use.



A simple wire fence is appropriate for use with some historic architectural styles.



Wrought iron or other metal fences are appropriate when compatible with the building.

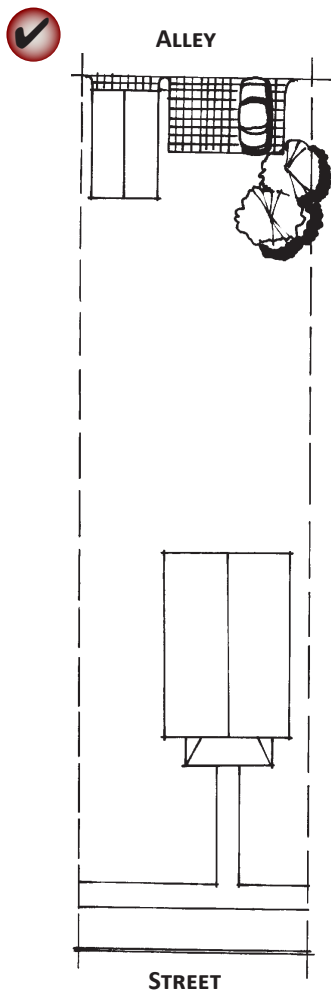


A painted wood picket fence is the preferred option for fencing in most historic residential areas. Alternating, scalloped and variegated styles are seen on a number of historic properties in Galveston.



Metal loop and spear style fences are seen on a number of Galveston's historic properties.





Locate a parking area to the rear of a site.

## PARKING AND DRIVEWAYS

Driveways placed in the city right-of-way must adhere to the requirements for sidewalks as prescribed by the City Code. The proper permits must also be obtained.

### 3.7 Minimize the visual impact of parking.

#### *Appropriate*

- Locate a parking area at the rear or to the side of a site whenever possible.
- Use landscaping to screen parking areas.
- Keep paved areas and curbs cuts for driveways to a minimum widths.
- Maintain historic strip driveways. These driveways, from the 1920s and 1930s, allow for better drainage and permit grass to grow between the concrete strips.

#### *Inappropriate*

- Paving the front yard for parking is not permitted.
- New driveways and garages that open onto a primary street are not permitted.
- A new semi-circular drive in a front yard is not permitted unless there is evidence of its previous existence.

## PLANTING

When site development, such as parking, storage and equipment areas, creates an unavoidable negative visual impact on abutting properties or to the public way, it should be screened with landscaping that complements the existing natural character and context of the site.

Ordinarily, approval is not needed from the Landmark Commission for planting materials. Approval must be obtained from the City if the work involves removing trees or shrubs from the City's right-of-way. Removal of existing trees is discouraged.

### 3.8 Use plant materials to screen utility installations, and service and parking areas.

#### *Appropriate*

- Shrubs and trees that branch close to the ground are most effective.
- Keep trees and shrubs trimmed, both as a security precaution and to minimize storm damage.
- Use a flowering vine to cover an existing chain-link fence.
- Use landscaping to complement your building and its features.
- Keep landscaping simple and easy to maintain.

## LIGHTING

Site and building lighting are important considerations for both historic buildings and new construction.

Lighting installation must adhere to City Code requirements. In addition, the Landmark Commission must approve the removal or addition of exterior light fixtures. The description, product data sheet, or sample light fixture should be submitted to the Commission for review.

### 3.9 Preserve and maintain original fixtures.

#### *Appropriate*

- Historic fixtures can be reconditioned and rewired.

### 3.10 Design lighting that is in character with the setting.

#### *Appropriate*

- Fixtures should be compatible with architectural and site design elements.
- Employ new fixtures that are modest in character.
- Mount new light fixtures on porch ceilings or adjacent to entrances.
- Inset ceiling lights that spread a soft light over a porch entrance are permitted.
- Mount a light fixture such that it will not interfere with the opening and closing of shutters or doors.
- Security lighting, such as flood lights, should be mounted on rear or side of a structure rather than on the front.
- Use incandescent lighting or sources that appear similar in character. Fluorescent and LED sources may be used when the color is similar and incandescent.

#### *Inappropriate*

- Avoid historic-looking new fixtures because they may convey a sense of false history.
- Do not use light sources that create a harsh glare or a color that is not similar to that of incandescent light.



Locate a new building to fit within the range of setback dimensions seen in the block.

## Site Standards for New Residential Construction

New residential construction in locally-designated historic districts should be sited and oriented to be compatible with surrounding neighborhood patterns as described on page 68. The below site standards for new construction apply in addition to the general residential site standards on page 71.

### 3.21 Locate a new structure to fit within the range of front yard setbacks on the block.

#### *Appropriate*

- Where front yard setbacks are uniform, place a new structure in general alignment with its neighbors.
- Where front yard setbacks vary, place a new structure within the established range of front yard setbacks on the block.

#### *Inappropriate*

- Do not locate a structure outside the range established range of front yard setbacks.

### 3.22 Maintain the side yard spacing pattern on the block.

- Locate a structure to preserve the side yard spacing pattern on the block as seen from the street.

### 3.23 Orient the front of a house to the street and clearly identify the front door.

#### *Appropriate*

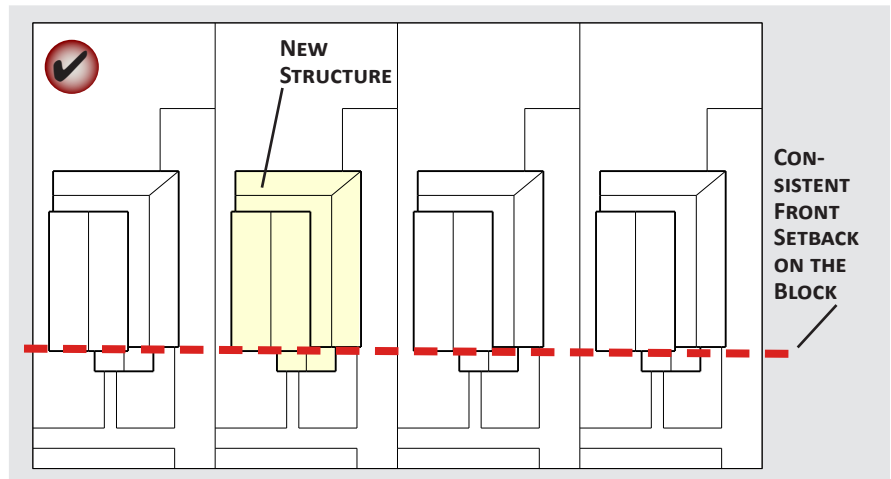
- Design the front entrance to be clearly identifiable.
- Use a porch to define the entry.

## Appropriate Front Yard Setbacks

The placement of a new structure should be compatible with the pattern of front yard setbacks along the block as illustrated below.

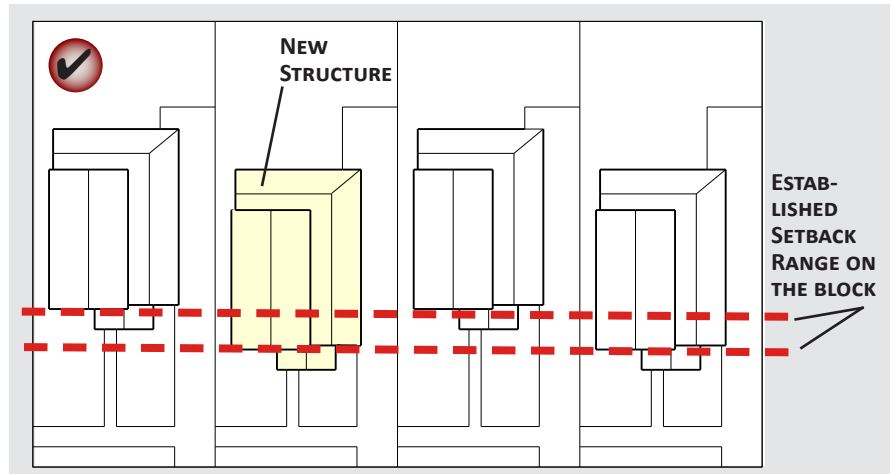
### Consistent Setback Context

On some blocks, front façades are in general alignment, and front yards have a consistent depth. In this context, a new structure should be built at the same front yard setback as the existing structures on the block as illustrated at right.



### Varied Setback Context

On some blocks, the historic front yard setback pattern is varied, and additional flexibility is appropriate in the placement of a new structure. In this context, a new structure should be built within the established range of front yard setbacks on the block as illustrated at right.

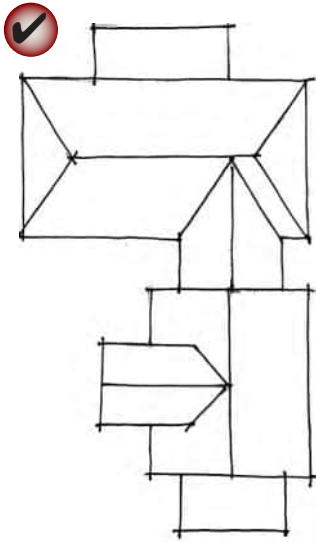


## Massing Standards for New Residential Construction

Galveston's traditional residential structures have varied heights, articulated masses and pedestrian-scaled fronts that convey as sense of human scale.

While it may be larger than a traditional residential structure in the surrounding context, a new residential structure in a locally-designated historic district should appear to be similar in mass and scale to those seen historically in the block.

A special consideration is the design of a multifamily building in a single family context. Where this is permitted by zoning, a new multifamily building in a single family context should reflect façade widths of traditional single family structures in the area.



Subdividing the mass of a larger building into smaller “modules” that are similar in size to buildings seen traditionally is encouraged.

### Human Scale



A sense of human scale is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience. Using building materials of a familiar dimension such as traditional brick or wood lap siding is an example, as is using windows, doors and porches of similar dimensions.

### 3.24 Construct a new structure to reflect the mass and scale of historic residential structures in the area.

#### *Appropriate*

- Subdivide the mass of a larger building into smaller “modules” that are similar in size to buildings seen traditionally.
- Design building features to incorporate traditional dimensions. Wall plate heights, window and door head heights and other vertical proportions should match the appropriate scale of the period.
- Design corner buildings be similar in height to buildings along adjoining blocks.

### 3.25 Express façade components in ways that will help to establish a human scale.

#### *Appropriate*

- Include horizontal elements in the design of residential buildings that help to express the height of floors and that relate visually to similar features in the block. For example, use a porch and groupings of windows to convey human scale.
- Articulate a building mass to create visual interest and convey a three-dimensional form. Provide vertical and horizontal wall offsets to reduce the overall scale of a building.
- Design a new residential façade to respect the traditional proportions of height to width.
- Use floor-to-ceiling heights that appear similar to those of traditional residential buildings.
- Consider window proportions, pairing and trim in the design.

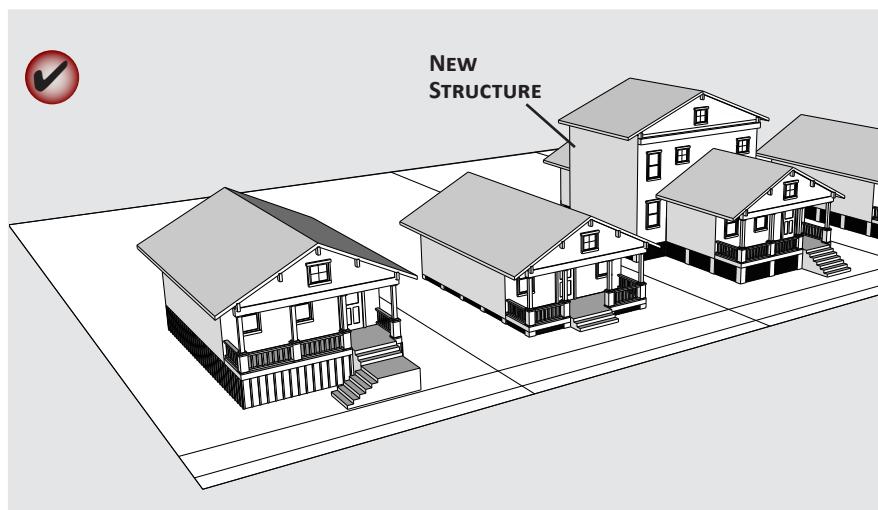


## Appropriate Residential Massing

While it may be larger than a traditional residential structure in the surrounding context, a new residential structure in a locally-designated historic district should appear to be similar in mass and scale to those seen historically on the block as illustrated below.

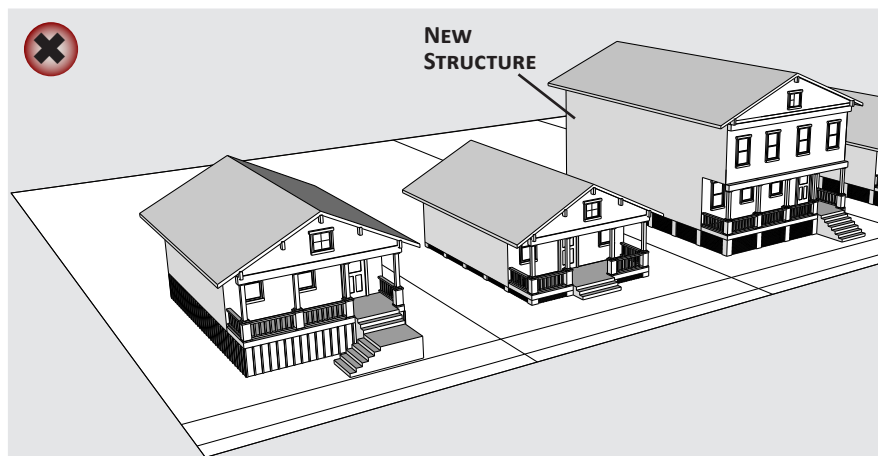
### New Structure Broken Down into Modules

Although it is larger than existing structures on the block, the new residential structure illustrated at right is broken down into modules that are similar in size to traditional buildings in the surrounding context. The two-story portion of the structure has also been set back from the street to help preserve the traditional one-story appearance of the block face.



### New Structure that is Inappropriately Scaled

The new structure illustrated at right does not appear to be in scale with traditional buildings in the surrounding context. The new structure's two-story front façade and long side walls loom over the streetscape and adjacent, smaller scale, structures.





For larger buildings with more than two units, define individual units in modules that express traditional dimensions.

### 3.26 Position taller portions of a structure away from neighboring buildings of lower scale.

#### *Appropriate*

- Where permitted by the base zoning, taller structures should be located to minimize looming effects on lower scaled neighbors.
- The height of first floors should be aligned whenever possible.
- A building should step down toward any lower, adjacent historic properties.

### 3.27 Organize the massing of a new multifamily building to appear similar in scale to historic structures in the context.

#### *Appropriate*

- For larger buildings with more than two units, define individual units in modules that express traditional dimensions.

## BUILDING FORMS

A similarity of building forms also contributes to a sense of visual continuity. In order to maintain this feature, a new building should have a basic form that is similar to that seen traditionally.

### 3.28 Use simple, rectangular building forms.

#### *Appropriate*

- Use building forms that appear similar to traditional forms.

#### *Inappropriate*

- Unless necessary, do not use building forms that do not have a traditional orientation to the street.

### 3.29 Use building and roof forms similar to those seen traditionally in the district.

#### *Appropriate*

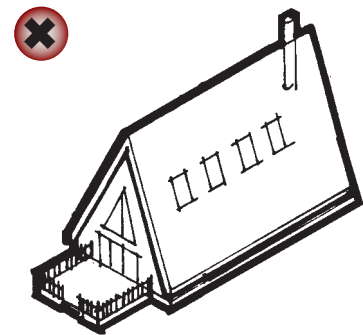
- Use a pitched or gable roof form where they exist in the surrounding historic context.

#### *Inappropriate*

- Do not use an exotic roof form on the primary structure.
- Do not use shed roof forms except on porches or small additive forms attached to the primary structure.



Simple rectangular building forms are preferred.



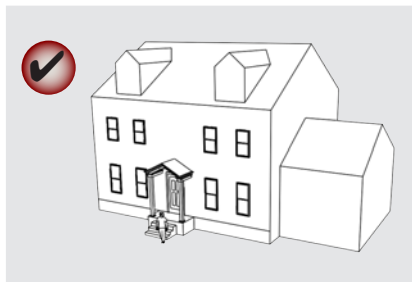
Building forms that do not have a traditional orientation to the street or traditional floor heights are discouraged.

## Appropriate Building Form

A new residential structure should have a simple form. Complex building forms that do not have traditional floor-to-ceiling heights are inappropriate.

### Simple Building Form

Simple building forms composed of primarily rectangular elements and traditional floor-to-ceiling heights (generally 9-10') are most appropriate in Galveston's residential historic districts.



### Inappropriately Complex Building Form

Complex building forms that do not have traditional floor-to-ceiling heights (below 9'), or incorporate multiple architectural styles, are inappropriate.



# 5. Guidelines for Site Elements

City of San Antonio Historic Design Guidelines

Office of Historic Preservation







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### Using the Historic Design Guidelines

The City of San Antonio Historic Design Guidelines (“Historic Design Guidelines”) establish baseline guidelines for historic preservation and design. The Historic Design Guidelines apply to all **exterior** modifications for properties that are individually designated landmarks or within a locally designated historic district. All applicants are encouraged to review the Historic Design Guidelines early in their project to facilitate an efficient review process. In addition to compliance with the Unified Development Code (“UDC”), applicants must obtain a Certificate of Appropriateness (“COA”) from the Office of Historic Preservation (“OHP”) for all proposed exterior modifications as described in the Using the Historic Design Guidelines section of the Historic Design Guidelines. The Historic Design Guidelines are comprised of eight sections as follows:

- 1. Using the Historic Design Guidelines
- 2. Guidelines for Exterior Maintenance and Alterations
- 3. Guidelines for Additions
- 4. Guidelines for New Construction
- **5. Guidelines or Site Elements**
- 6. Guidelines for Signage
- 7. A Guide to San Antonio’s Historic Resources
- 8. Glossary

The Historic Design Guidelines as a whole are intended to work congruently with other sections, divisions and articles of the UDC but have been separated into individual sections for ease of use. In the event of a conflict between other sections or articles of the UDC and these Historic District Guidelines, the Historic District Guidelines shall control except in the case of signage where the more strict regulation or guideline shall control. Additionally, if an exception from the application of Chapter 28 of the city code of San Antonio has been approved for signage in historic districts, such exception shall remain unless removed by official action of the City Council. The meaning of any and all words, terms or phrases in the Historic District Guidelines shall be construed in accordance with the definitions provided in Appendix A of the UDC. In the case of a conflict regarding a definition as provided in these guidelines and Appendix A of the UDC, the Historic District Guidelines definition shall control. All images courtesy of the City of San Antonio, Clarion Associates, and Hardy, Heck, Moore, Inc. unless otherwise noted.

**For questions and guidance please contact the Office of Historic Preservation:** Email: [ohp@sanantonio.gov](mailto:ohp@sanantonio.gov) | Phone: 210.215.9274



# Why Preserve?

*A message from Historic Preservation Officer, Shanon Shea Miller*

**W**e strive to preserve San Antonio's historic buildings and neighborhoods for many reasons. We recognize and celebrate the cultural, aesthetic, environmental and economic value historic preservation brings to San Antonio. It is by definition sustainable and is a proven economic development tool. No example in this country of successful central city revitalization has occurred without preservation as a component.

- Preserving our built environment helps tell the **story** of San Antonio's long, rich and diverse history. Taking care of our older buildings and neighborhoods provides a sense of belonging, a collective memory, and a sense of pride in our past. Preservation is about understanding that historic buildings are limited resources and we must be careful to preserve those that tell our many and varied stories. This includes not just major historic sites but neighborhood schools and parks, streets lined with bungalows, theaters, small-scale commercial buildings, shot gun houses, gas stations, and towering downtown landmarks.
- Preservation helps build strong **neighborhoods** by protecting their character. Preservation programs foster community pride, appreciation of history, learning, creativity, and a sense of place, thus making historic neighborhoods desirable places to live and work.



- Preservation is good for the **economy**. Reinvesting in our historic buildings and neighborhoods helps to stabilize our property values and community, and promotes tourism and economic development. Historic preservation is more labor-intensive than new construction and generally utilizes more local materials. Every time a building is rehabilitated or reused, specialized trades and skilled laborers are employed. This creates jobs and puts more money into our local economy.
- Additionally, historic preservation contributes to the **tourism** industry in our city. Studies have shown that the heritage visitor stays longer and spends more than any other category of visitor. These people are looking for the jewels that locals cherish...often it's our historic buildings and neighborhoods that provide that sense of place and community that attracts visitors, while contributing to the quality of life for local citizens. As Donovan Rypkema says, "Place is not a synonym for location. Place is a location that has been claimed by feelings." For that and many other reasons, historic preservation is good for the local economy!

- Preservation helps protect the **environment**. Reusing and adapting historic buildings and neighborhoods reduces our consumption of raw land, new materials, and other resources. Rehabilitating existing buildings and maintaining existing materials are sustainable solutions and are most often more cost effective over the life of the building than replacement or new construction. Fortunately the green movement is recognizing that the greenest building ever built is the one that already exists! Stewardship of the built environment is sustainability as well as preservation.



We want our neighborhoods and commercial districts to continue to tell the story of San Antonio's history to those who come after us. This can best be done by preserving the condition of our historic resources and giving them new life and new purpose by making them our homes and places of business. The Historic Design Guidelines are intended to serve the community as we work together to preserve San Antonio's historic resources to provide a quality environment for future generation ***Preservation is not about longing for the past or resisting progress. It's about building on the past toward the future.***

Sharon

"Historic preservation has become a fundamental tool for strengthening American communities. It has proven to be an effective tool for a wide range of public goals including small business incubation, affordable housing, sustainable development, neighborhood stabilization, center city revitalization, job creation, promotion of the arts and culture, small town renewal, heritage tourism, economic development, and others."

– Donovan Rypkema, *Measuring Economic Impacts of Historic Preservation*, 2011





# 5. Guidelines for Site Elements

## Introduction

These guidelines provide general guidance to property owners, design professionals, homeowners, and decision-makers regarding the exterior maintenance of and alterations to historic site elements; they are not intended as a substitute for consultation with qualified architects, contractors, attorneys, City staff, and/or the Historic Design and Review Commission (“HDRC”). All applicants are responsible for the professional, legal, and/or other services required for their project. Countless variables in the design and character of site elements exist within San Antonio’s historic districts. District-specific guidelines should address issues or elements that are unique within individual historic districts.

## Applicability

The Historic Design Guidelines generally apply to all site element modifications on properties that are located within a locally designated historic district or that are individually designated landmarks. This section specifically applies to all modifications to site elements (as defined by UDC Section 35-611).

## Guidelines

This section contains guidelines for residential and non-residential site elements as follows:

- Topography
- Fences and Walls
- Landscape Design
- Residential Streetscapes
- Non-Residential and Mixed Use Streetscapes
- Sidewalks, Walkways, Driveways, and Curbing
- Off-Street Parking
- Americans with Disabilities Act (ADA) Compliance

These guidelines contain numerous pictures, illustrations, drawings, and examples of projects that have successfully met, or failed to meet, the qualities that the guidelines address. Examples are provided only to illustrate and show context. They shall not be construed as the only possible design solutions allowed.

In considering whether to recommend approval or disapproval of an application for a COA for site elements, the HDRC shall be guided by the Secretary of the Interior’s Standards for Rehabilitation, the UDC, the Historic Design

Guidelines, and any additional design guidelines adopted by the City.

### General Principles

The following General Principles for Site Elements will be considered during the review process in conjunction with the guidelines contained in this section.

#### Principle #1: Respect the Historic Context

New site elements should complement, not detract from, historic site elements, the character of the historic structure they serve, and the surrounding district. When considering specific site elements (e.g., streetscape, topography) the surrounding context is important, since the integrity of various elements varies from block-to-block.

#### Principle #2: Routine Maintenance is Essential for Preservation

With proper maintenance, many historic site elements can last for centuries. Routine maintenance of walls, sidewalks, monuments, landscaping, curbing, and other decorative and functional site elements is essential to prevent deterioration.

#### Principle #3: Preservation of Features in Place is Preferred Over Replacement

Maintaining and repairing historic site elements is preferred over replacing those elements as to maintain the character of the public right-of-way and district. However, if elements are deteriorated beyond repair (more than 50%), in-kind replacement using new components that match the original in form and materials is favored while replacement with comparable substitutes will be considered.

#### Principle #4: More Flexibility in Treatment and/or Replacement May be Considered in Locations Not Visible from the Public Right-of-Way

Site elements that are not visible from the public right-of-way are less likely to detract from views of the historic structure or the overall character of the district. More flexibility in the treatment and/or replacement of site elements located in rear yards and other areas of the site that are partially or wholly concealed from the public right-of-way may be considered.



# 1. Topography

## Why is this Important?

Topographic features, such as sloped front lawns, raised lots, and other distinctive site design elements, help define the unique character of each district and of individual streets or blocks within each district. Altering these features, such as through the installation of a retaining wall, interrupts the visual continuity of the historic streetscape and detracts from the character of the district.



*Sloping lawns and raised lots similar to the examples above are typical in some of San Antonio's historic districts.*

## Guidelines

### A. TOPOGRAPHIC FEATURES

- i. **Historic topography**—Avoid significantly altering the topography of a property (i.e., extensive grading). Do not alter character-defining features such as berms or sloped front lawns that help define the character of the public right-of-way. Maintain the established lawn to help prevent erosion. If turf is replaced over time, new plant materials in these areas should be low-growing and suitable for the prevention of erosion.
- ii. **New construction**—Match the historic topography of adjacent lots prevalent along the block face for new construction. Do not excavate raised lots to accommodate additional building height or an additional story for new construction.
- iii. **New elements**—Minimize changes in topography resulting from new elements, like driveways and walkways, through appropriate siting and design. New site elements should work with, rather than change, character-defining topography when possible.



## This

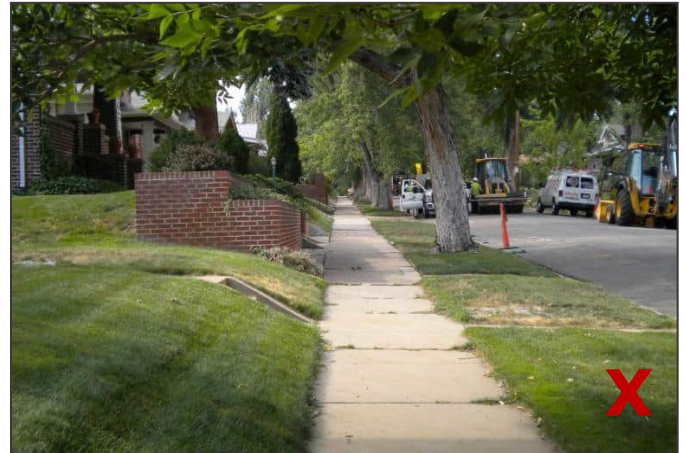


*A pattern of raised lots along the street frontage increases the visual prominence of historic structures.*

## Not This



*Excavating a historically raised lot to accommodate an additional story for new construction disrupts the visual continuity of the historic streetscape.*



*Retention of historically consistent topographical features, such as these sloped front lawns, gives the street frontage a distinctive character.*

*Replacing historically sloped front lawns with retaining walls interrupts the visual continuity of the street frontage.*



## 2. Fences and Walls

### Why is this Important?

The historic use of fences and low retaining walls to identify front yard boundaries and provide privacy and security varies dramatically from district to district and from block to block within San Antonio's historic districts. The types of fences and walls that are used are similarly eclectic. Where historic fences and walls do exist, they are important character-defining features that help reinforce the age and style of the principal building and often times the block. Front yard fences and walls play a large role in defining rhythm and pattern along the street edge. In some districts, non-historic fence materials, such as chain link, have been introduced over time.



*Ornamental, wrought iron fences with an open character and low height are just one of the many styles of historic fences found in San Antonio's historic districts.*



*Stone walls of varying heights and designs are found in many of San Antonio's historic districts. In some locations (as illustrated above), the walls are used to enclose and screen a yard. In other locations, lower stone walls are used for retention purposes on sloped sites.*

### Guidelines

#### A. HISTORIC FENCES AND WALLS

- i. **Preserve**—Retain historic fences and walls.
- ii. **Repair and replacement**—Replace only deteriorated sections that are beyond repair. Match replacement materials (including mortar) to the color, texture, size, profile, and finish of the original.
- iii. **Application of paint and cementitious coatings**—Do not paint historic masonry walls or cover them with stone facing or stucco or other cementitious coatings.

#### B. NEW FENCES AND WALLS

- i. **Design**—New fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character. Design of fence should respond to the design and materials of the house or main structure.
- ii. **Location**—Avoid installing a fence or wall in a location where one did not historically exist, particularly within the front yard. The appropriateness of a front yard fence or wall is dependent on conditions within a specific historic district. New front yard fences or wall should not be introduced within historic districts that have not historically had them.
- iii. **Height**—Limit the height of new fences and walls within the front yard to a maximum of four feet. The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. If a taller fence or wall existed historically, additional height may be considered. The height of a new retaining wall should not exceed the height of the slope it retains.
- iv. **Prohibited materials**—Do not use exposed concrete masonry units (CMU), Keystone or similar interlocking retaining wall systems, concrete block, vinyl fencing, or chain link fencing.
- v. **Appropriate materials**—Construct new fences or walls of materials similar to fence materials historically used in the district. Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure.
- vi. **Screening incompatible uses**—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

## C. PRIVACY FENCES AND WALLS

- i. ***Relationship to front facade***—Set privacy fences back from the front façade of the building, rather than aligning them with the front façade of the structure to reduce their visual prominence.
- ii. ***Location***—Do not use privacy fences in front yards.

### Front Yard Fences—Appropriate Materials

The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. Where historic precedent does exist, construct new fences or walls of materials similar to fence materials historically used in the district.



*Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure. (Photos by Mike Pecan, ASLA)*



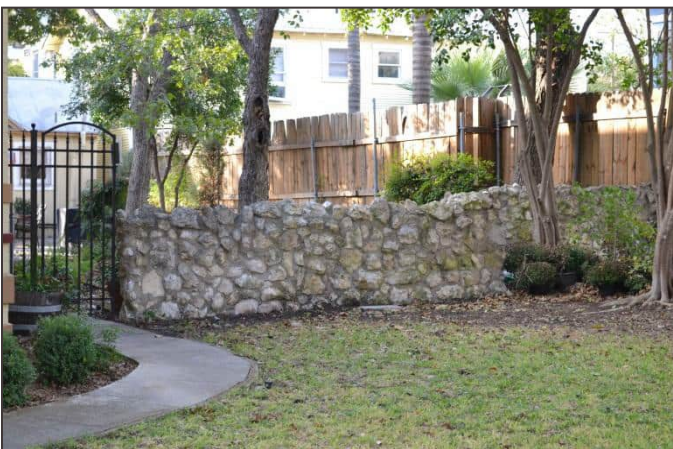
## This



*Preserve historic fencing, such as this unusual ornamental wire fence with wood posts.*



*Wood slats, decorative posts, and scalloped lines complement the character of this home.*



*Privacy fencing is limited to the rear yard, preserving the historic stone wall and wrought iron gate at the side yard.*

## Not This



*Although many exist in some districts, the installation of new chain link fences is not permitted.*



*New keystone or similar interlocking retaining wall systems are prohibited.*



*Applying new stone facing to cover a historic stone wall is not permitted.*



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### 3. Landscape Design

#### Why is this Important?

Landscape designs in San Antonio's historic districts vary depending on their setting and period of construction. Historic landscapes provide clues to the past and aid in the overall interpretation of our historic districts. While some districts feature sweeping historic lawns and formal elements, many districts feature a diverse palette of landscape features, such as more informal xeric plantings, which are often appropriate within the historic context. Water conservation strategies should be implemented in a manner that responds to the historic context while meeting present day conservation needs.



*Landscape designs and plant palettes vary among historic districts and contribute to the uniqueness of the districts.*

#### Guidelines

##### A. PLANTINGS

- i. **Historic Gardens**— Maintain front yard gardens when appropriate within a specific historic district.
- ii. **Historic Lawns**—Do not fully remove and replace traditional lawn areas with impervious hardscape. Limit the removal of lawn areas to mulched planting beds or pervious hardscapes in locations where they would historically be found, such as along fences, walkways, or drives. Low-growing plantings should be used in historic lawn areas; invasive or large-scale species should be avoided. Historic lawn areas should never be reduced by more than 50%.
- iii. **Native xeric plant materials**—Select native and/or xeric plants that thrive in local conditions and reduce watering usage. See UDC Appendix E: San Antonio Recommended Plant List—All Suited to Xeriscape Planting Methods, for a list of appropriate materials and planting methods. Select plant materials with a similar character, growth habit, and light requirements as those being replaced.
- iv. **Plant palettes**—If a varied plant palette is used, incorporate species of taller heights, such informal elements should be restrained to small areas of the front yard or to the rear or side yard so as not to obstruct views of or otherwise distract from the historic structure.
- v. **Maintenance**—Maintain existing landscape features. Do not introduce landscape elements that will obscure the historic structure or are located as to retain moisture on walls or foundations (e.g., dense foundation plantings or vines) or as to cause damage.

##### B. ROCKS OR HARDSCAPE

- i. **Impervious surfaces** —Do not introduce large pavers, asphalt, or other impervious surfaces where they were not historically located.
- ii. **Pervious and semi-pervious surfaces**—New pervious hardscapes should be limited to areas that are not highly visible, and should not be used as wholesale replacement for plantings. If used, small plantings should be incorporated into the design.
- iii. **Rock mulch and gravel** - Do not use rock mulch or gravel as a wholesale replacement for lawn area. If used, plantings should be incorporated into the design.

## C. MULCH

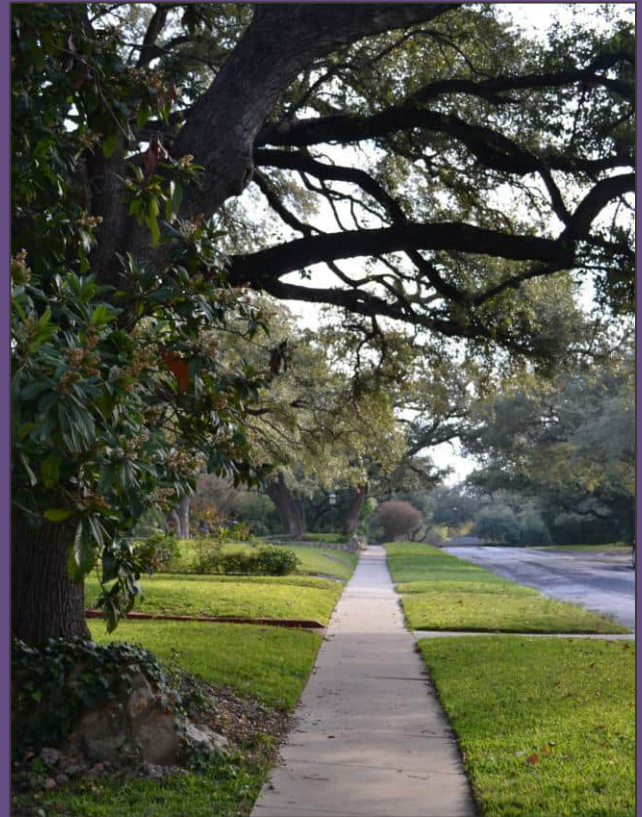
- i. **Organic mulch** – Organic mulch should not be used as a wholesale replacement for plant material. Organic mulch with appropriate plantings should be incorporated in areas where appropriate such as beneath a tree canopy.
- ii. **Inorganic mulch** – Inorganic mulch should not be used in highly-visible areas and should never be used as a wholesale replacement for plant material. Inorganic mulch with appropriate plantings should be incorporated in areas where appropriate such as along a foundation wall where moisture retention is discouraged.

## D. TREES

- i. **Preservation**—Preserve and protect from damage existing mature trees and heritage trees. See UDC Section 35-523 (Tree Preservation) for specific requirements.
- ii. **New Trees** – Select new trees based on site conditions. Avoid planting new trees in locations that could potentially cause damage to a historic structure or other historic elements. Species selection and planting procedure should be done in accordance with guidance from the City Arborist.
- iii. **Maintenance** – Proper pruning encourages healthy growth and can extend the lifespan of trees. Avoid unnecessary or harmful pruning. A certified, licensed arborist is recommended for the pruning of mature trees and heritage trees.

## Tree Protection

Trees are important resources in San Antonio's historic districts that affect many site elements, ranging from streetscapes to landscape design. In addition to being aesthetically pleasing, trees help define public and private spaces, cleanse and cool the air, and reduce the amount of pollutants entering streams and the local ecosystem. Trees also provide protection from the sun for pedestrians as well as buildings. Consultation with the City Arborist is required for projects that affect mature trees and heritage trees.





## This



*Historic landscape designs in some districts were formal in character with a limited palette of plant materials, allowing historic structures to remain the focus. This distinctive landscape design was based on historical research, and contributes to the associated structure. (Photo by John Laffoon, ASLA)*



*These front yards incorporate a restrained palette of xeric plant materials within a historically appropriate design. These schemes reduce water usage while not detracting from the character of the historic properties.*

## Not This




*Avoid vines and other plantings that obscure the historic structure from view and contribute to the retention of damaging moisture against building walls and foundations.*



*Overgrown or out-of-scale xeric plantings (middle) can detract from the character of historic structures when used in the front yard. Alternatively, removing all plant material in favor of rock or organic mulch (bottom) can also create a stark contrast which detracts from the historic street pattern.*





**San Antonio Water System**


Aquifer Level 645.6 | Stage Two: wtr on ur day

PAY YOUR BILL ONLINE

Restriction Details | Report Water Waste

Q

Who We Are | Your Water | Conservation | Service | Infrastructure | Education | Environment | Jobs | Business Center



**OUTDOOR PROGRAMS & REBATES**

HOME > CONSERVATION > OUTDOOR PROGRAMS & REBATES > MAIN

CONSERVATION

Main

Drought Restrictions

Outdoor Programs & Rebates

- WaterSaver Home Checkup
- 7 Steps to Xeriscaping
- Dressed for Success
- WaterSaver Landscape Rebate
- Irrigation Design Rebate
- Rain Harvesting
- Watering Efficiently
- WaterSaver Lane
- WaterSaver Landscape Care Guide
- WaterSaver Plant List
- WaterSaver Newsletter

Indoor Programs & Rebates


Commercial Programs & Rebates

Your Role in Conservation

Ordinance

**Outdoor Conservation Programs & Rebates**


Through outdoor conservation programs such as our WaterSaver Landscape rebates and educational programs that reach out to all San Antonians, we want to encourage citizens to conserve, saving you money on your water bill while preserving our precious water supplies.



**WaterSaver Home Checkup**

Hear that? That's the sound of your money going down the drain. Not to mention the thousands of gallons of water being wasted because of household leaks.


[READ MORE](#)



**7 Steps to Xeriscaping**

Xeriscaping. What in the world does that word mean and how on Earth do you pronounce it?


[READ MORE](#)



**WaterSaver Landscape Rebate**

Create a WaterSaver Landscape and enjoy a lot of color while saving a lot of green.

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**Irrigation Design Rebate**


Through our Residential Irrigation Design Rebate you can identify design flaws that can result in healthier landscapes.

[READ MORE](#)

QUICK LINKS

- Indoor Programs & Rebates
- Commercial Programs & Rebates
- Ordinance


**TOP 10 Fall Projects**



After a parched summer, it's time for a landscape revival.

**Low Water PLANTS**

SAWS approved low-water plant list.



**WaterSaver NEWSLETTER**

**Are you a WaterSaver?**

San Antonio Water System (SAWS) offers a variety of outdoor conservation programs, information, and rebates to promote water efficiency in landscaping and irrigation. Resources including species selection and xeriscaping techniques are available on their website at:

<http://saws.org/Conservation/Outdoor/>

## 4. Residential Streetscapes

### Why is this Important?

Residential streetscapes in the many of San Antonio's historic districts are characterized by a detached sidewalk and planting strip landscaped with mature street trees and lawn or low plantings. This pattern creates a pedestrian-friendly environment, maintains continuity along the street frontage, and frames historic structures set back from the street. In some districts, the integrity of historic residential streetscapes has been compromised through the introduction of non-historic streetscape elements, such as hardscape and xeriscape plantings, over time.



*Several of San Antonio's Historic Districts feature decorative gateway monuments.*



*Detached sidewalks and planting strips are common on residential streets in many of San Antonio's historic districts. Parkway and planted medians—such as the central median lined with palms, above—are also found in more limited locations.*

## Guidelines

### A. PLANTING STRIPS

- i. **Street trees**—Protect and encourage healthy street trees in planting strips. Replace damaged or dead trees with trees of a similar species, size, and growth habit as recommended by the City Arborist.
- ii. **Lawns**—Maintain the use of traditional lawn in planting strips or low plantings where a consistent pattern has been retained along the block frontage. If mulch or gravel beds are used, low-growing plantings should be incorporated into the design.
- iii. **Alternative materials**—Do not introduce impervious hardscape, raised planting beds, or other materials into planting strips where they were not historically found.

### B. PARKWAYS AND PLANTED MEDIANS

- i. **Historic plantings**—Maintain the park-like character of historic parkways and planted medians by preserving mature vegetation and retaining historic design elements. Replace damaged or dead plant materials with species of a like size, growth habit, and ornamental characteristics.
- ii. **Hardscape**—Do not introduce new pavers, concrete, or other hardscape materials into parkways and planted medians where they were not historically found.

### C. STREET ELEMENTS

- i. **Site elements**—Preserve historic street lights, street markers, roundabouts, and other unique site elements found within the public right-of-way as street improvements and other public works projects are completed over time.
- ii. **Historic paving materials**—Retain historic paving materials, such as brick pavers or colored paving, within the public right-of-way and repair in place with like materials.

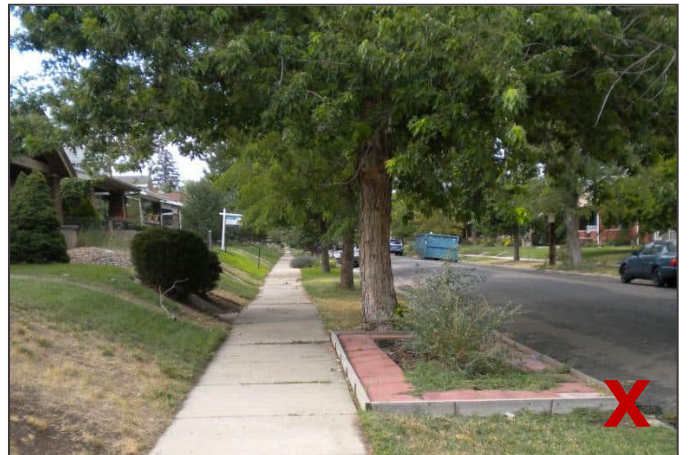


## This



*Planting strips and street trees have been maintained, contributing to the park-like character of these residential streetscapes.*

## Not This



*Replacing lawn with pavers, rock mulch, or raised planting beds in planting strips detracts from the character of these residential streetscapes and increases stormwater runoff.*

## 5. Sidewalks, Walkways, Driveways, and Curbing

### Why is this Important?

The repetition of historic sidewalks, walkways, driveways, curbing widths, and materials serves as a unifying feature in San Antonio's historic districts. The introduction of new materials and patterns interrupts the consistency of these elements and detracts from the historic character of the streetscape.



*Date or street name stamps are found in many of San Antonio's historic districts.*



*Consistent sidewalk, walkway, and driveway placement, width, and materials reinforce the formal streetscape character typical of San Antonio's historic districts. Every effort should be made to retain lawn and other plantings along historic sidewalks to avoid the over use of concrete.*

## Guidelines

### A. SIDEWALKS AND WALKWAYS

- i. **Maintenance**—Repair minor cracking, settling, or jamming along sidewalks to prevent uneven surfaces. Retain and repair historic sidewalk and walkway paving materials—often brick or concrete—in place.
- ii. **Replacement materials**—Replace those portions of sidewalks or walkways that are deteriorated beyond repair. Every effort should be made to match existing sidewalk color and material.
- iii. **Width and alignment**—Follow the historic alignment, configuration, and width of sidewalks and walkways. Alter the historic width or alignment only where absolutely necessary to accommodate the preservation of a significant tree.
- iv. **Stamped concrete**—Preserve stamped street names, business insignias, or other historic elements of sidewalks and walkways when replacement is necessary.
- v. **ADA compliance**—Limit removal of historic sidewalk materials to the immediate intersection when ramps are added to address ADA requirements.

### B. DRIVEWAYS

- i. **Driveway configuration**—Retain and repair in place historic driveway configurations, such as ribbon drives. Incorporate a similar driveway configuration—materials, width, and design—to that historically found on the site. Historic driveways are typically no wider than 10 feet. Pervious paving surfaces may be considered where replacement is necessary to increase stormwater infiltration.
- ii. **Curb cuts and ramps**—Maintain the width and configuration of original curb cuts when replacing historic driveways. Avoid introducing new curb cuts where not historically found.

### C. CURBING

- i. **Historic curbing**—Retain historic curbing wherever possible. Historic curbing in San Antonio is typically constructed of concrete with a curved or angular profile.
- ii. **Replacement curbing**—Replace curbing in-kind when deteriorated beyond repair. Where in-kind replacement is not be feasible, use a comparable substitute that duplicates the color, texture, durability, and profile of the original. Retaining walls and curbing should not be added to the sidewalk design unless absolutely necessary.



## This



*The retention of historic sidewalks alignment and materials helps to preserve the visual continuity of this streetscape.*

## Not This



*The introduction of new diamond shaped paving materials interrupts the visual continuity of the historic streetscape.*



*Replacement curbing matches the curvature of historic curbing, creating a consistent line.*



*The profile of the replacement curbing in the foreground does not match that of the adjacent historic curbing.*



*Historic ribbon driveway has been retained, reinforcing the continuity of the street frontage and minimizing stormwater runoff.*



*Historic ribbon driveway has been filled in, interrupting the continuity of the street frontage and increasing stormwater runoff.*



## 6. Non-Residential and Mixed Use Streetscapes

### Why is this Important?

Historic streetscapes in commercial and non-residential districts were designed to provide a safe and comfortable pedestrian environment that complements the historic character of the district. Consistency in streetscape elements helps create a unified appearance, reinforce the historic character of the district, and distinguish it from adjacent residential districts.



*The design, scale, and character of San Antonio's non-residential and mixed-use streetscapes vary significantly by location. Houston Street, above, is designed to accommodate the high volumes of pedestrian traffic typical in downtown.*

### Guidelines

#### A. STREET FURNITURE

- i. **Historic street furniture**—Preserve historic site furnishings, including benches, lighting, tree grates, and other features.
- ii. **New furniture**—Use street furniture such as benches, trash receptors, tree grates, and tables that are simple in design and are compatible with the style and scale of adjacent buildings and outdoor spaces when historic furnishings do not exist.

#### B. STREET TREES

- i. **Street trees**—Protect and maintain existing street trees. Replace damaged or dead trees with trees of a similar species, size, and growth habit.

#### C. PAVING

- i. **Maintenance and alterations**—Repair stone, masonry, or glass block pavers using in-kind materials whenever possible. Utilize similar materials that are compatible with the original in terms of composition, texture, color, and detail, when in-kind replacement is not possible.

#### D. LIGHTING

- i. **General**—See UDC Section 35-392 for detailed lighting standards (height, shielding, illumination of uses, etc.).
- ii. **Maintenance and alterations**—Preserve historic street lights in place and maintain through regular cleaning and repair as needed.
- iii. **Pedestrian lighting**—Use appropriately scaled lighting for pedestrian walkways, such as short poles or light posts (bollards).
- iv. **Shielding**—Direct light downward and shield light fixtures using cut-off shields to limit light spill onto adjacent properties.
- v. **Safety lighting**—Install motion sensors that turn lights on and off automatically when safety or security is a concern. Locate these lighting fixtures as discreetly as possible on historic structures and avoid adding more fixtures than necessary.



*While specific design characteristics vary throughout San Antonio's historic districts, this non-residential/mixed-use streetscape in St. Paul Square contains elements typical in most examples.*

### Maintenance and Alteration Checklist for Non-Residential and Mixed Use Streetscapes

- 1** Preserve historic site furnishings, including benches, lighting, tree grates, and other features.
- 2** Maintain historic street lights
- 3** Protect and maintain existing street trees. Replace damaged or dead trees with trees of a similar species, size, and growth habit.
- 4** Repair stone or masonry pavers using in-kind materials whenever possible.



## 7. Off-Street Parking

### Why is this Important?

Without proper siting and screening, off-street parking areas detract from the pedestrian-oriented streetscape character typically found in San Antonio's historic districts and can negatively impact adjacent residential districts.



*Off-street parking must be carefully sited and screened within San Antonio's historic districts to minimize visual impacts and to maintain a pedestrian-friendly environment.*

### Guidelines

#### A. LOCATION

- i. **Preferred location**—Place parking areas for non-residential and mixed-use structures at the rear of the site, behind primary structures to hide them from the public right-of-way. On corner lots, place parking areas behind the primary structure and set them back as far as possible from the side streets. Parking areas to the side of the primary structure are acceptable when location behind the structure is not feasible. See UDC Section 35-310 for district-specific standards.
- ii. **Front**—Do not add off-street parking areas within the front yard setback as to not disrupt the continuity of the streetscape.
- iii. **Access**—Design off-street parking areas to be accessed from alleys or secondary streets rather than from principal streets whenever possible.

#### B. DESIGN

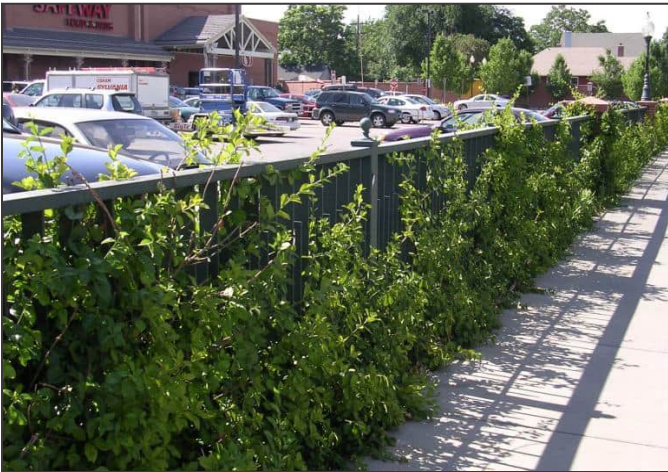
- i. **Screening**—Screen off-street parking areas with a landscape buffer, wall, or ornamental fence two to four feet high—or a combination of these methods. Landscape buffers are preferred due to their ability to absorb carbon dioxide. See UDC Section 35-510 for buffer requirements.
- ii. **Materials**—Use permeable parking surfaces when possible to reduce run-off and flooding. See UDC Section 35-526(j) for specific standards.
- iii. **Parking structures**—Design new parking structures to be similar in scale, materials, and rhythm of the surrounding historic district when new parking structures are necessary.

### Additional Resources

*Changes to Historic Site*, ITS #39, by Michael J. Auer.  
<http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS39-HistoricSite-Changes.pdf>



## This



*Off-street parking should be screened from the pedestrian right-of-way and adjacent uses.*

## Not This



*Insufficient screening of this large off-street parking area detracts from the streetscape character.*



*Off-street parking areas should be located to the side or rear of the structure they are intended to serve and screened from adjacent uses.*



*Providing off-street parking in the front yard setback detracts from the character of the historic structure it is intended to serve and the overall character of the historic district.*



*Parking structures should complement the historic character of the district they are intended to serve.*



*New modern parking structures should not detract from the historic character of the district they are intended to serve.*

## 8. Americans with Disabilities Act (ADA) Compliance

### Why is this Important?

Most historic buildings and sidewalks were not designed to be accessible to people with disabilities. Proper siting and design of accessibility features, such as wheelchair ramps, can help minimize the potential visual impacts to historic structures and districts while providing safe and accessible routes that are compliant with ADA requirements. The Texas Department of Licensing and Regulations (TDLR) enforces the Texas Accessibility Standards (TAS) which echo the 2010 ADA design standards. TAS applies to new construction and substantially renovated facilities that are publicly owned or leased or are public accommodations. Single family residences are exempt from ADA/TAS requirements. Alternative designs may be used when strict compliance with the TAS would threaten or destroy the historic or architectural significance of the facility. Any alternative design must substantially reflect the letter and spirit of the ADA.



*Successful adaptations to historic buildings increase accessibility while minimizing visual impacts and damage to the historic structure, such as this convenient ramp located to the side of the building.*

## Guidelines

### A. HISTORIC FEATURES

- i. **Avoid damage**—Minimize the damage to the historic character and materials of the building and sidewalk while complying with all aspects of accessibility requirements.
- ii. **Doors and door openings**—Avoid modifying historic doors or door openings that do not conform to the building and/or accessibility codes, particularly on the front façade. Consider using a discretely located addition as a means of providing accessibility.

### B. ENTRANCES

- i. **Grade changes**—Incorporate minor changes in grade to modify sidewalk or walkway elevation to provide an accessible entry when possible.
- ii. **Residential entrances**—The preferred location of new ramps is at the side or rear of the building when convenient for the user.
- iii. **Non-residential and mixed use entrances**—Provide an accessible entrance located as close to the primary entrance as possible when access to the front door is not feasible.

### C. DESIGN

- i. **Materials**—Design ramps and lifts to compliment the historic character of the building and be visually unobtrusive as to minimize the visual impact, especially when visible from the public right-of-way.
- ii. **Screening**—Screen ramps, lifts, or other elements related to ADA compliance using appropriate landscape materials. Refer to Guidelines for Site Elements for additional guidance.
- iii. **Curb cuts**—Install new ADA curb cuts on historic sidewalks to be consistent with the existing sidewalk color and texture while minimizing damage to the historical sidewalk.

## Additional Resources

*Designing New Additions to Provide Accessibility*, ITS #53, by Liz Patrella. <http://www.nps.gov/tps/standards/applying-rehabilitation/its-bulletins/ITS53-Additions-Accessibility.pdf>

*Making Historic Properties Accessible*, Preservation Briefs #32, by Thomas C. Jester and Sharon C. Park, AIA. <http://www.nps.gov/history/hps/tps/briefs/brief32.htm>



## This



*As ramps are added to San Antonio's historic districts over time, care should be given to ensure consistency with existing historic walkways and curbing.*

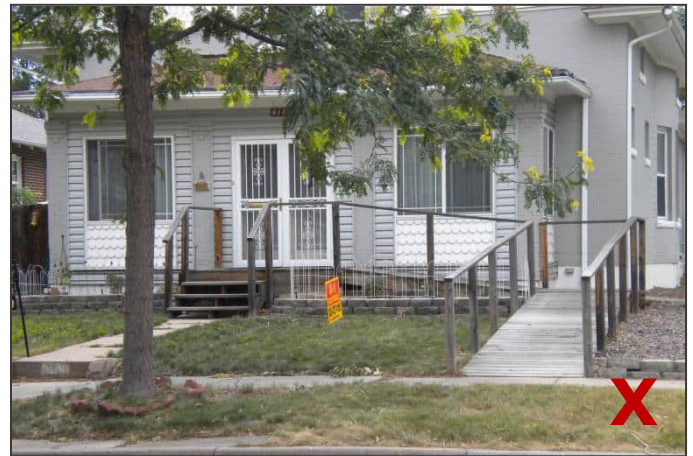
## Not This



*The accessibility of San Antonio's historic districts should be improved over time through the addition of ramps at all intersections.*



*A simple ramp was added to the rear of this historic structure.*



*A large wood ramp located at the front of this home visually dominates the property.*



*A ramp that is simple in design and does not damage the historic structure.*



*This poorly located ramp blocks the sidewalk and dominates the front faced of this historic church. (Source: [www.amramp.com/edmonton-ab-pictures](http://www.amramp.com/edmonton-ab-pictures))*



## Sec. 35-611. - Certificate of Appropriateness - Administrative Approval.

Applications for certain minor alterations, additions, ordinary repairs or maintenance may be reviewed and approved administratively by the historic preservation officer without review by the historic and design review commission. Those activities which constitute minor alterations, additions, repairs or maintenance include but are not limited to:

### Ordinary Repair and Maintenance

- a) Repair using the same material and design as the original and does not require structural modifications
- b) Repainting, using the same color
- c) Reroofing, using the same type and color of material
- d) **Repair of sidewalks and driveways using the same type and color of materials**

### Exterior Alterations

#### Doors/Entrances

- a) From non-historic to one in keeping with the character and era in which the home was built
- b) Removal of burglar bars
- c) Repair or slight modification to exterior steps or stairways using in-kind material
- d) Reopening of porch with proper photo documentation or physical evidence

#### Windows

- a) Removal of non-historic windows to replace with windows that match the original windows as closely as possible in material and design
- b) Restoring original window openings with documentation
- c) Removal of residential metal awnings
- d) Repairing window framing
- e) Removing inappropriate exterior shutters that are not of historic age
- f) Louvers and venting in which the vents or louvers are placed in an existing opening, in which there is no change in the configuration of the fenestration and the only modification to the building is the removal of glazing panels
- g) Removal of burglar bars

#### Siding

- a) Removing non-historic siding in order to unencapsulate historic siding materials

#### Roofing

- a) Removal of composite roof shingles and replacing with clay tiles with documentation
- b) Removal of composite roof shingles and replacing with metal roofing material with documentation and specifications
- c) Changing color of composite roofing material
- d) Changing color of existing metal roof with appropriate specifications and details

#### Additions

- a) Any rear addition under two hundred (200) square feet using same (non-historic) material as existing structure as well as existing roof ridgeline for non-contributing structures; must include plans with specification

#### Painting

- a) Reasonable changes to paint colors on previously painted surfaces which are consistent with the district or landmark characteristics
- b) Paint removal/pressure water washing/graffiti removal

#### Landscaping

- a) Replacing paved areas with sod or other landscaping
- b) Fifty (50) percent or less square feet of front yard replacement
- c) Sprinkler system with site map
- d) Back yard landscaping
- e) Removal of existing landscaping or sod areas and replacing with xeriscaping where not removing character defining landscaping elements
- f) New plantings in keeping with the character of neighborhood

#### Hardscaping with site map and specifications

- a) Parking pads under one hundred forty-four (144) square feet
- b) Sidewalks residential/commercial with contextually appropriate placement (such as a traditional planting strip)
- c) Driveway construction if less than twelve (12) feet in width and consistent with guidelines
- d) Parking with appropriate landscaping (non-historic properties)

#### Fencing

- a) Removal of chain, link, plywood, or vinyl and replacing with wood, wrought iron, garden loop, or masonry
- b) Replacing or recreating any fence or handrail with historic document
- c)

Installing or constructing a fence, railing, or wall where none exists (sides and rear only behind front facade plane of historic structure) with appropriate materials

#### Signage

- a) Changes in content or configuration (re-facing) that do not involve changes in sign location, dimensions, lighting or total sign area
- b) Signs that are consistent with HDRC approved master signage plans
- c) Temporary banners or signs where allowed by this article
- d) Signs that comply with UDC sections 35-678, 35-612, 35-681 or 35-645, and have a square footage equal to or less than the requirements outlined. Signage applications above the allowable square footage shall be forwarded to the historic and design review commission for their recommendation.

#### New Construction

- a) Rear ADA ramps
- b) Rear porch
- c) Rear deck
- d) Swimming pools, fountains in back yard

#### Demolition

- a) Non-historic accessory structure that is made of non-historic materials
- b) Non-historic additions that are made of non-historic materials
- c) Reopen enclosed porch
- d) Carports that are made of non-historic materials
- e) Non-contributing structures located in historic district that are made of non-historic materials

#### Miscellaneous

- a) Reasonable changes in color to awning fabric that are consistent with the district or landmark characteristics
- b) Renewal of expired certificates of appropriateness
- c) Removal of any prohibited element described in City Code
- d) Minor changes to existing certificates of appropriateness
- e) Emergency installation of temporary features to protect a historic resource or to weatherize or stabilize
- f) Foundation
- g) Mechanical units



- h) Exterior electrical
- i) Exterior plumbing
- j) Exterior electrical fixtures
- k) Antennas
- l) Glass replacement
- m) Dumpsters with screening
- n) Lighting
- o) Rooftop HVAC, mechanical or communication equipment that is not visible from the public right-of-way and results in no modifications to the visible facades of the building
- p) Mission protection overlay district applications being reviewed for height/angle conformity only.

A clear photograph of the building, object, or structure to be repaired, a brief description of the intended work, and samples of replacement materials or paint for comparison with the existing building, object, or structure must be furnished with the application. Site plan and specifications may be required as needed for adequate administrative review as determined by the historic preservation officer.

(Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2014-10-02-0742, § 2, 10-2-14)



# MEMO

**TO:** San Marcos Historic Preservation Commission  
**FROM:** Alison Brake, Historic Preservation Officer  
**DATE:** March 16, 2023  
**RE:** Item 5: Historic Landmark Designation of Trees

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Commissioner Dake requested that this item be placed on the agenda for discussion. The following information is intended to facilitate discussion among the Commission.

## Tree & Habitat Protection

Tree and habitat protection is regulated by Chapter 6, Article 4 of the San Marcos Development Code; attached for reference. The regulations found in this Article are applicable to all new development within the city limits, including development projects undertaken by the city. These standards apply regardless of whether a property is located within a historic district or not.

Under these standards, trees 9-inches or greater may be removed with City approval. This is typically handled during the development process when a site plan or building permit is submitted for review. Table 6.5 defines tree classifications: A **protected tree** is one that is measured at 9-23 inches in diameter at breast height and a **heritage tree** is one measured at 24 inches or greater in diameter at breast height. Under the previous Land Development Code, trees of this size, 24 inches or greater, were called specimen trees; the name was changed to heritage in 2018 when the Development Code was rewritten.

Per Tree and Habitat Protection requirements, if a protected tree is removed, it must be replaced at an inch per inch ratio. If a heritage tree is removed, it must be replaced at a ratio of 2:1, meaning for every inch removed, two inches must be replaced. However, tree credits for preserving trees within the limits of construction may be granted and can be used to complete needed replacement inches. When a protected tree is preserved, ½ credits are given for each inch of that protected tree. When a heritage tree is preserved, 1 credit is given for each inch of that heritage tree. Section 6.4.2.1(B)(1) states the following: "*Native oaks, elms, sycamore, bald cypress, madrone, and pecan trees are particularly to be preserved.*"

In 2017, the State Legislature prevented municipalities from requiring regulations regarding tree removals on private property in HB7. Under that same law municipalities cannot charge a fee if the tree is on a single-family property. See attached Section 212.905 of the Texas Local Government Code.

## Historic Landmark Designation Process

The process to be designated as a historic landmark is regulated by a separate process in Chapter 2, Article 5, Division 4; attached. A private property owner or the Historic Preservation Commission can initiate an application for the establishment of historic landmarks. A flowchart is attached to help better illustrate the designation process. The oak tree on Franklin Street was designated a historic landmark in 1986 after it came to light that the tree was ailing and needed intensive treatment. Neighbors in that area campaigned and fundraised

to save the tree. As a local historic landmark, the tree is protected under the requirements of Chapter 2, Article 5, Division 5, Certificates of Appropriateness.



development site that are located within a water quality zone, a buffer zone or a sensitive feature protection zone.

**TABLE 6.4 IMPERVIOUS COVER LIMITS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE**

SIZE OF SITE	IMPERVIOUS COVER LIMIT
Up to and including three acres	40%
More than three acres and less than five acres	30%
Five acres or more	20%

### Section 6.3.3.2 Impervious Cover Allocation

- A. Utilization of Site.** Land included in water quality zones, buffer zones, and sensitive feature protection zones may be used in the calculation of the total impervious cover allowed on the site. The total allowed impervious cover on a site may be allocated by an applicant in a manner that concentrates the allowed impervious cover in one or more uplands zones on the site.

## ARTICLE 4: TREE AND HABITAT PROTECTION

### DIVISION 1: GENERAL

#### Section 6.4.1.1 Purpose

The purpose of this Article is to conserve, protect and enhance existing trees and natural landscapes that are healthy and contribute to a safe and livable community, as well as to establish and maintain new trees. It is recognized that the presence of trees contributes to the overall quality of life and environment of the City. They are an integral part of healthy aquifers and river corridors, managing stormwater runoff, controlling erosion and dust, abating noise, reducing building energy costs, enhancing property values, and providing wildlife habitat.

### DIVISION 2: TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT

#### Section 6.4.2.1 General Tree Preservation Requirements

- A. Applicability.** The provisions of this section apply to all new development within the City and not within the ETJ, including development projects undertaken by the City of San Marcos.
- B. Intent**
1. In the course of development the existing natural landscape character shall be preserved to the maximum extent feasible. Native oaks, elms, sycamore, bald cypress, madrone, and pecan trees are particularly to be preserved. For example, when a site contains an existing stand of trees, the developer and builder shall use best good faith efforts to preserve such trees.
  2. Indiscriminate clearing or stripping of natural vegetation on a site or lot is prohibited.
- C. City Approval.** The removal of any protected or heritage tree for the purpose of development without City approval is expressly prohibited.
- D. Tree Survey**
1. To request City approval for the removal of a protected or heritage tree, submit a tree survey with the applicable development permit application. Issuance of the applicable

permit constitutes approval of tree removal and shall occur prior to any action being taken to remove a tree(s) or that may damage or disturb a tree(s) or its root system in any way.

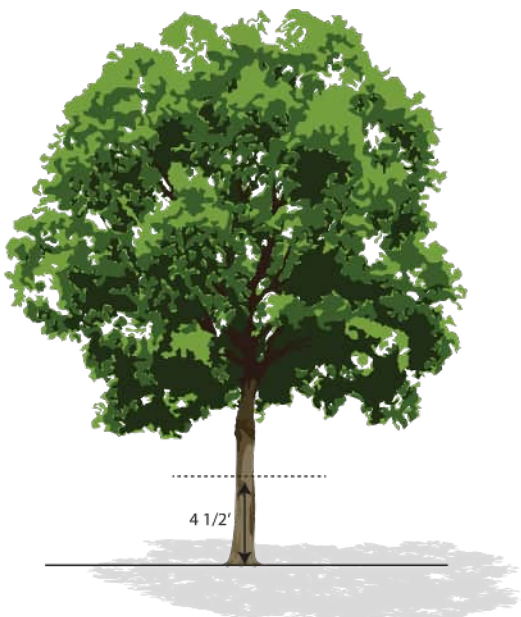
2. The tree survey required with an application for a Watershed Protection Plan, Phase 2 or a Site Permit under Section 2.6.1.1 or Section 2.7.1.1 shall include a drawing showing the species, size, location and scaled root protection zone of all protected and heritage tree(s), with an indication of those to be preserved or removed. The "Tree Preservation and Mitigation Table", located on the City's website, shall also be included.
3. Trees nine inches or larger shall be tagged and numbered, and numbers shall be depicted on the applicable drawing and associated table(s). The tags and associated numbers shall remain on the trees until the certificate of acceptance or certificate of occupancy is issued.
4. When submitting an application for a Watershed Protection Plan, Phase 1, under Section 2.6.1.1 an aerial photograph showing tree groupings and the location of heritage trees is required.

### Section 6.4.2.2 Tree Measurement.

- A. Existing Tree Size and Measurement.** Tree size shall be stated in inches of "Diameter at Breast Height (DBH)". Both single-trunk and multi-trunk trees shall be measured at "breast height" which is defined as four-and-one-half feet (54 inches) above natural grade.

(Ord. No. 2019-45, 12-17-19)

FIGURE 6.3 MEASURING EXISTING TREES



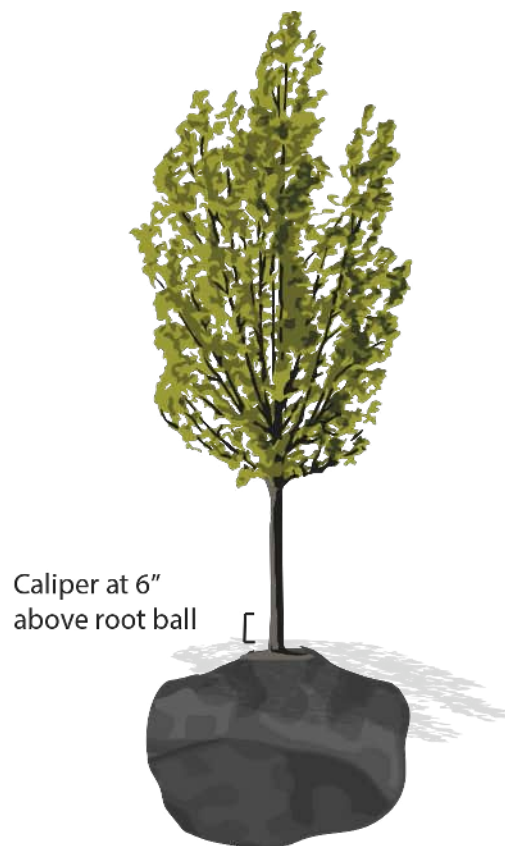
- B. Measurement of a Multi-Trunk Tree.** The DBH of a multi-trunk tree shall be calculated by the following equation: The DBH of the largest tree trunk, plus one-half the DBH of all other tree trunks. For example, a tree that has three trunks with DBHs of 7", 6", and 4" would be equivalent to a 12" DBH tree.

$$7" + (0.5 \times 6") + (0.5 \times 4") = 12" \text{ DBH}$$

(Ord. No. 2019-45, 12-17-19)

- C. Measurement of Nursery Stock.** The size of small or young trees to be planted (i.e., those with diameters of four inches or less) shall be measured at six inches above the root ball in "caliper" inches.

FIGURE 6.4 MEASURING NURSERY STOCK



### Section 6.4.2.3 Classification of Protected and Heritage Trees.

TABLE 6.5 TREE CLASSIFICATIONS

TREE CLASSIFICATION	DBH (DIAMETER AT BREAST HEIGHT)
Protected Tree	9" - 23"
Heritage Tree	≥ 24"

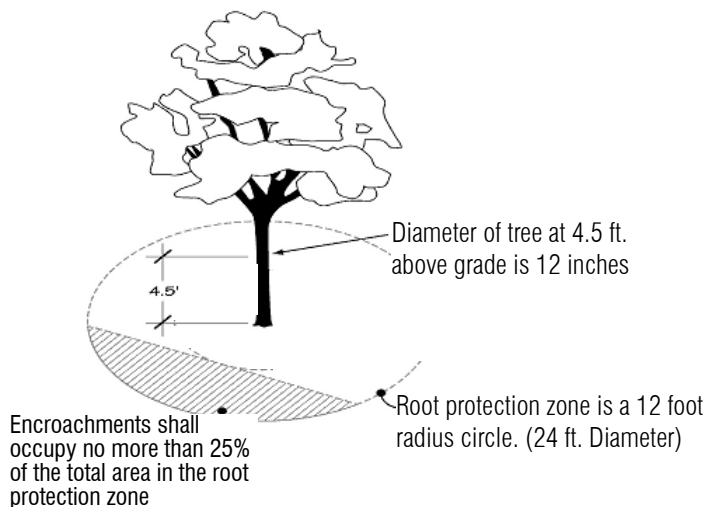
- A. Trees of the following species with a DBH less than 12 inches are excluded from the mitigation requirements of this code:
  1. *Celtis occidentalis* (Hackberry)
  2. *Juniperus ashei* (Common Cedar)
  3. *Juniperus virginiana* (Eastern Red Cedar)
  4. *Prosopis glandulosa* (Mesquite)
  5. *Acacia farnesiana* (Huisache)
- B. Trees identified on the noxious and invasive species list of any size are excluded from the mitigation requirements of this code.
- C. Trees deemed dead, in serious decline or hazardous by an ISA certified arborist, consulting arborist, and/or the City's Urban Forester are excluded from the mitigation requirements of this code.

#### Section 6.4.2.4 Tree Protection Standards

##### A. Protection of Existing Trees During Development.

1. No more than 25% of the root protection zone of trees to be preserved shall be disturbed. The root protection zone is measured as 1 foot in radius for every 1 inch in DBH of the tree. This area may overlap with a grouping of trees.

FIGURE 6.5 TREE PROTECTION STANDARDS



2. All preserved trees on a demolition or construction site shall be provided protection for a minimum of 75% of their root protection zone in accordance with City of San Marcos standard design and technical specifications.
3. Tree protection fences shall be shown on submitted plans and shall be in place for City inspection before any demolition, site clearance or other site-disturbing activity commences.
4. All building materials, dirt, excavation or fill materials, chemicals, construction vehicles or equipment, debris, other materials, and vehicle parking shall be kept outside tree protection fences.
5. Tree protection fences shall remain in place until the final building and site inspections are approved and the certificate of acceptance or certificate of occupancy is issued.

(Ord. No. 2019-45, 12-17-19)

#### Section 6.4.2.5 Tree Mitigation Requirements

Any protected or heritage tree that is removed from the site due to development must be replaced on-site as follows:

TABLE 6.6 TREE MITIGATION REQUIREMENTS

TREE CLASSIFICATION	MITIGATION REQUIRED IN DIAMETER INCHES
Protected Tree	1:1 (1 Inch per inch removed)
Heritage Tree	2:1 (2 Inches per inch removed)

- A. All required mitigation trees shall be provided as shade trees meeting the planting, installation, and maintenance requirements of Sections 7.2.4.1, 7.2.4.2, and Appendix D of the San Marcos Design Manual.
- B. **Off-Site Mitigation.** The primary goal is to replant trees on a development site. With the express, written approval of the Responsible Official, however, some or all of the required mitigation trees that cannot feasibly be planted in any area of the development site can be planted in a park or other city right-of-way located within the same quadrant of the City as the development site.

(Ord. No. 2019-45, 12-17-19)



**C. Tree Fee-in-lieu.** While the primary goal is to replant trees on a development site, when some or all of the required mitigation trees cannot feasibly be planted in any area of the development site or in a nearby park or other public property, the Responsible Official may allow the applicant to pay a fee-in-lieu of planting mitigation trees. Payment per caliper inch as set by City Council resolution for required mitigation trees shall be paid into the tree fund. The funds in this account shall be dedicated solely to tree planting and care and other tree preservation activities within the the same quadrant of the City as the development site. Refer to the fee schedule on the City's website for the current rates.

(Ord. No. 2019-45, 12-17-19)

#### Section 6.4.2.6 Tree Credits

**A. Incentives to Retain Existing Trees.** In order to encourage the preservation of trees that are already established and growing, particularly heritage trees, additional credit as outlined in the table below shall be given for healthy existing trees. To receive credit, the existing tree must be of a species included on the preferred list in the technical manual and located within the limits of construction (LOC) of the development site. Tree credits for preserving existing trees can be used to meet either the landscaping requirements for trees or the mitigation requirements for other removed trees.

**TABLE 6.7 TREE CREDITS**

TREE CLASSIFICATION	TREE CREDITS IN DIAMETER INCHES
Protected Tree	1/2:1 (1/2 Inch per inch preserved)
Heritage Tree	1:1 (1 Inch per inch preserved)

#### Section 6.4.2.7 Tree Preservation and Protection After Development

**A. Duty of Persons for Trees on Property.** It shall be the duty of the property owner to maintain all trees planted pursuant to, or preserved by, this Article in a healthy condition in accordance with the following:

1. Any person or persons owning or occupying real property on which there may be trees must ensure that such trees do not obstruct utility or telephone lines. Only city-

contracted arborists are allowed to trim trees within 12 feet of utility and telephone lines.

2. Any person or persons owning or occupying real property bordering on any street upon which property there may be trees, must prune such trees in such a manner that they will not obstruct or shade the street lights, obstruct or interfere with the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be 8 feet over sidewalks and 16 feet over all streets, except truck thoroughfares which shall require a clearance of 18 feet.
  3. Any person or persons owning or occupying real property on which there may be trees that are diseased or insect-infested, must remove, spray or treat any such trees in a manner that will not infect or damage nearby public vegetation or cause harm to the community or citizens therein.
  4. When trees that are subject to or protected by this Article die, are missing, or are otherwise deemed unhealthy by the City, they shall be removed and replaced by the property owner to comply with the applicable standards.
  5. Any person or persons owning, occupying or controlling real property upon which tree pruning or removal occurs must advise all landscape contractors, tree services, arborists and others who remove or prune diseased trees of the need for proper disinfection of all cutting tools. All wounds to the trunk, limbs, roots, or stumps of oak trees should be sprayed with paint within 20 minutes of cut or incident with wounding or removal to prevent the spread of oak wilt. This provision applies to any person, firm, corporation, business entity, City department or private utility.
- B.** If the owner or occupant of such property does not perform the duties set out in subsection A above, the City may order the pruning, removal or treatment of tree(s) on private property that cause obstructions, present insect or disease problems or otherwise present a danger to public health or safety. The order shall be in writing to the owner or occupant responsible for such condition and shall be acted upon within 30 days from the time of the receipt of the order. If, after 30 days, the owner or occupant has not responded or acted to prune, remove or

treat the tree(s), the City shall have the authority to enter upon the property to perform the work necessary to correct the condition and bill the owner or occupant for the actual costs incurred. In situations deemed necessary to the public health, safety, or welfare, the City may act without prior notification to the property owner or occupant.

Acts 2019, 86th Leg., R.S., Ch. 635 (S.B. 1510), Sec. 1, eff. June 10, 2019.

Sec. 212.905. REGULATION OF TREE REMOVAL. (a) In this section:

(1) "Residential structure" means:

(A) a manufactured home as that term is defined by Section 1201.003, Occupations Code;

(B) a detached one-family or two-family dwelling, including the accessory structures of the dwelling;

(C) a multiple single-family dwelling that is not more than three stories in height with a separate means of entry for each dwelling, including the accessory structures of the dwelling; or

(D) any other multifamily structure.

(2) "Tree mitigation fee" means a fee or charge imposed by a municipality in connection with the removal of a tree from private property.

(b) A municipality may not require a person to pay a tree mitigation fee for the removed tree if the tree:

(1) is located on a property that is an existing one-family or two-family dwelling that is the person's residence; and

(2) is less than 10 inches in diameter at the point on the trunk 4.5 feet above the ground.

(c) A municipality that imposes a tree mitigation fee for tree removal on a person's property must allow that person to apply for a credit for tree planting under this section to offset the amount of the fee.

(d) An application for a credit under Subsection (c) must be in the form and manner prescribed by the municipality. To qualify for a credit under this section, a tree must be:

(1) planted on property:

(A) for which the tree mitigation fee was assessed; or

(B) mutually agreed upon by the municipality and the person;

and

(2) at least two inches in diameter at the point on the trunk 4.5 feet above ground.

(e) For purposes of Subsection (d)(1)(B), the municipality and the person may consult with an academic organization, state agency, or nonprofit organization to identify an area for which tree planting will best address the science-based benefits of trees and other reforestation needs of the municipality.

(f) The amount of a credit provided to a person under this section must be applied in the same manner as the tree mitigation fee assessed against the person and:

(1) equal to the amount of the tree mitigation fee assessed against the person if the property is an existing one-family or two-family dwelling that is the person's residence;

(2) at least 50 percent of the amount of the tree mitigation fee assessed against the person if:

(A) the property is a residential structure or pertains to the development, construction, or renovation of a residential structure; and

(B) the person is developing, constructing, or renovating the property not for use as the person's residence; or

(3) at least 40 percent of the amount of the tree mitigation fee assessed against the person if:

(A) the property is not a residential structure; or

(B) the person is constructing or intends to construct a structure on the property that is not a residential structure.

(g) As long as the municipality meets the requirement to provide a person a credit under Subsection (c), this section does not affect the ability of or require a municipality to determine:

(1) the type of trees that must be planted to receive a credit under this section, except as provided by Subsection (d);

(2) the requirements for tree removal and corresponding tree mitigation fees, if applicable;

(3) the requirements for tree-planting methods and best management practices to ensure that the tree grows to the anticipated height at maturity; or

(4) the amount of a tree mitigation fee.

(h) A municipality may not prohibit the removal of or impose a tree mitigation fee for the removal of a tree that:

(1) is diseased or dead; or

(2) poses an imminent or immediate threat to persons or property.

(i) This section does not apply to property within five miles of a federal military base in active use as of December 1, 2017.

Added by Acts 2017, 85th Leg., 1st C.S., Ch. 7 (H.B. 7), Sec. 1, eff. December 1, 2017.



## **DIVISION 4: APPLICATION FOR HISTORIC DISTRICT OR HISTORIC LANDMARK**

### **Section 2.5.4.1 Establishment and Expansion of Local Historic Districts or Historic Landmarks**

- A. General Procedures for Local Historic District.** Except as provided in this Section, an application to establish or expand a Historic District (HD) shall be processed and decided in accordance with the procedures governing an application for an overlay district under Section 2.5.2.2.
- B. General Procedures for Historic Landmarks.** Except as provided in this Section, an application to establish a Historic Landmark shall be processed and decided in accordance with the procedures governing an application for a Zoning Map amendment under Section 2.5.1.1.

### **Section 2.5.4.2 Historic Preservation Commission Action.**

Before considering a request for the establishment of a Historic District or Landmark, the Historic Preservation Commission shall carry out the following activities:

- A.** The Historic Preservation Commission shall cause a report to be prepared for the commission's final review and approval that:
1. Identifies the historic significance of the exteriors of buildings, structures, features, sites, objects and surroundings in the area of the proposed district or landmark;
  2. Reflects the current characteristics of the area of the proposed new Historic District or Landmark.
- B.** After final approval of the report concerning the area subject to the request, the Historic Preservation Commission shall hold a public hearing on the request for the establishment of the proposed Historic District or Landmark. The report shall be presented at the public hearing.
- C.** Personal notice and published notice of the public hearing shall be given in accordance with Section 2.3.2.1.
- D.** After the public hearing the Historic Preservation Commission shall:

1. Formulate a recommendation regarding the establishment of a historic district or landmark for the area subject to the request; and
2. Forward the recommendation and report to the Planning and Zoning Commission for consideration.

### **Section 2.5.4.3 Planning and Zoning Commission Action**

- A.** The Planning and Zoning Commission shall schedule a public hearing on the establishment of a Historic District or Landmark upon receiving the final report and recommendations of the Historic Preservation Commission.
- B.** The Planning and Zoning Commission shall take into consideration the report and recommendations of the Historic Preservation Commission at a public hearing.
- C.** The Planning and Zoning Commission shall recommend approval, approval with conditions, or denial of the establishment or expansion of a Historic District or Landmark.
- D.** Subsequent to the Planning and Zoning Commission's action, the final report, including the proposed ordinance and the recommendations of both commissions, shall be forwarded to the City Council for action.

### **Section 2.5.4.4 City Council Action**

- A.** Upon receipt of the final report and the recommendations of the Historic Preservation Commission and the Planning and Zoning Commission, the City Council shall take action on the application.
- B.** Upon approval, the ordinance establishing or expanding a Historic District shall provide for a suitable sign or marker on or near any part of the applicable property indicating that the property has been so designated, and shall set forth any restrictions on development or utilization of the Historic District or Landmark.
- C.** One copy of the ordinance shall be filed in the office of the County Clerk of the county in which the property is located.
- D. Notification of Designation.** Upon adoption of the ordinance, personal notice of the designation of the Historic District or Landmark shall be given in accordance with Section 2.3.2.1(b); provided that such notice is required to be given only to owners of property within the Historic District or Landmark.

### Section 2.5.4.5 Criteria for Approval

In making a determination or recommendation regarding the establishment or expansion of a Historic District or Landmark the following factors should be considered:

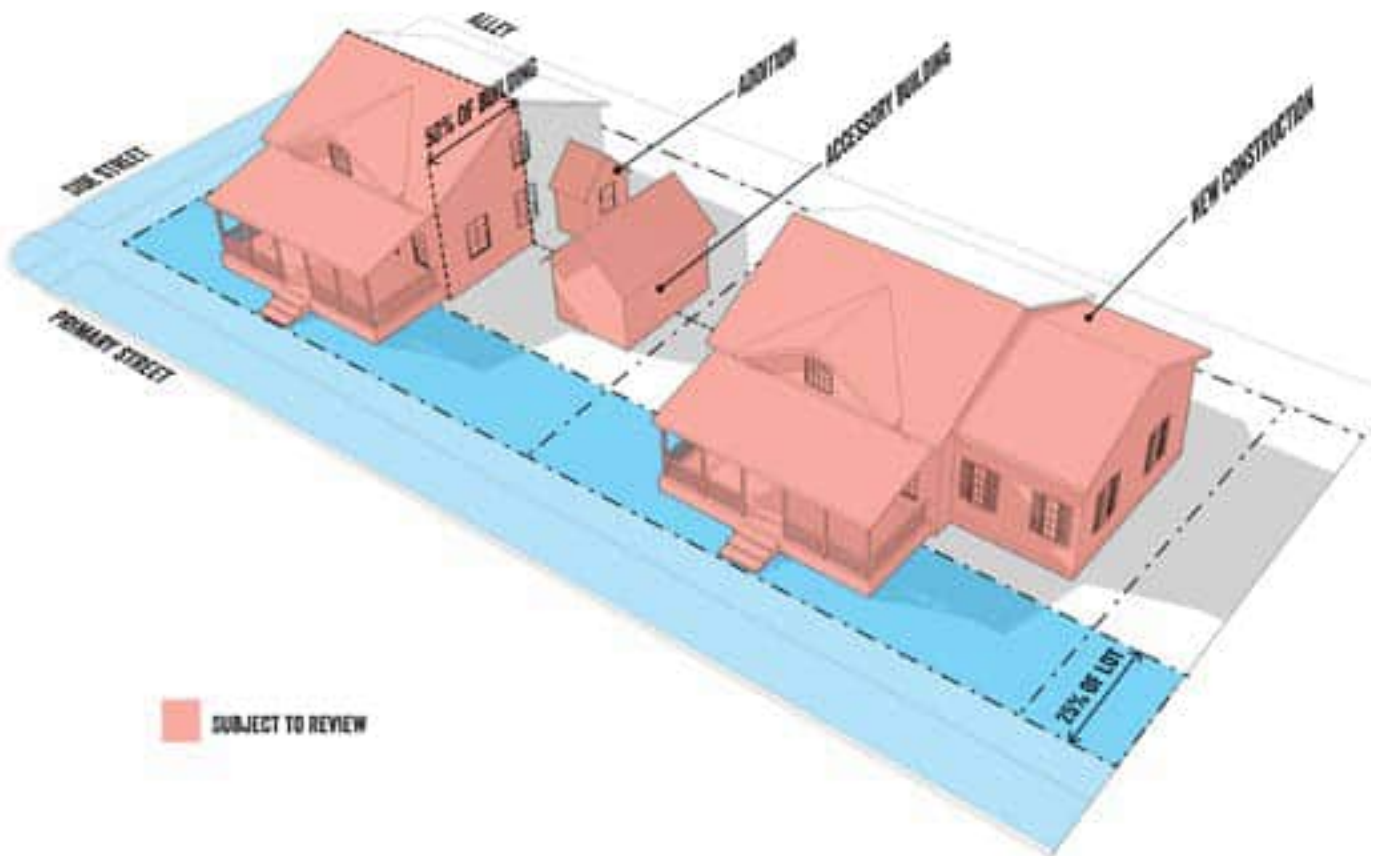
- A. Historical, architectural and cultural significance of the site(s);
- B. Suitability for preservation or restoration;
- C. Educational value; and
- D. Satisfaction of criteria established for inclusion of the site(s) and/or district in the National Register of Historic Places.

## DIVISION 5: CERTIFICATES OF APPROPRIATENESS

### Section 2.5.5.1 Purpose, Applicability, Exceptions and Effect

- A. **Purpose.** The purpose of a certificate of appropriateness is to assure that construction, alteration, restoration, relocation, or demolition of a structure, or alterations to the site or appurtenances in a Historic District or at a Historic Landmark is congruous with the historical, architectural or cultural aspects of the district or landmark. Furthermore, the purpose of a certificate of appropriateness is to make certain that historic structures, streets and neighborhoods are preserved and protected.
- B. **Applicability.** A certificate of appropriateness is required for portions of buildings and sites visible from adjacent public rights-of-way, streets or alleys as defined by Section 2.5.5.1(D) prior to undertaking any of the following activities in a local Historic District or at a local Historic Landmark:

**FIGURE 2.1 HISTORIC DISTRICT APPLICABILITY**



**FIGURE 2.1 HISTORIC DISTRICT APPLICABILITY**

1. Construction and reconstruction, including fences and walls;
  2. Alteration, additions, restoration and rehabilitation;
  3. Relocation;
  4. Signage;
  5. Construction or reconstruction of a parking lot;
  6. Construction or reconstruction of an appurtenance;
  7. Demolition; and
  8. Establishment or alteration of lighting, furniture and seating plans, and/or awnings and umbrellas within public right-of-ways.
- C. Exceptions.** A certificate of appropriateness is not required for the following activities:
1. Changes in color to a structure's exterior, unless the structure is located in the Downtown Historic District. Painting of structures in the Downtown Historic District shall be subject to Section 4.5.2.1(J);
  2. Interior arrangements for structures in a local Historic District or at a local Historic Landmark;
  3. Ordinary maintenance or repair of any exterior feature that does not involve a change in:
    - a. Design,
    - b. Material, or
    - c. Outer appearance.
  4. With the written approval of the Responsible Official, construction, reconstruction, alteration, restoration or demolition of any feature which the Building Official or other city department director shall certify is required for the public safety because of an unsafe or dangerous condition.
- D.** The provisions of this Division 4 apply only to the following areas within the boundaries of each Historic District or Historic Landmark:
1. The lot area between the property line and the facade of any existing building or structure;
  2. 25% of the depth of the lot area adjacent to the public right-of-way for vacant lots;
  3. The first 50% of the depth of any existing principal building from the facade adjacent to a public right-of-way;
  4. Any addition to a building or structure that projects beyond an existing building's front or side wall and roof plane envelope regardless of distance from the public right-of-way;
  5. The entirety of any new principal building construction on a vacant lot;
  6. The entirety of any new accessory building construction located in whole or in part in areas Section 2.5.5.1(D)1-3
  7. The entirety of any Historic Landmark and its designated boundary area.
- E. Effect.** Approval of a Certificate of Appropriateness authorizes the applicant to apply for permits allowing construction, alteration, restoration, relocation, or demolition of a structure, or alterations to the site or appurtenances, in a Historic District or at a local Historic Landmark.

### Section 2.5.5.2 Application Requirements

- A.** An application for a certificate of appropriateness shall be submitted in accordance with Section 2.3.1.1 except as otherwise provided in this Division 5.
- B.** A certificate of appropriateness must be approved prior to the issuance of a building permit or any other permit that authorizes construction, alteration, restoration, relocation, or demolition of a structure, or alterations to the site or appurtenances in the local Historic District or at a local Historic Landmark.

(Ord. No. 2019-45, 12-17-19)

### Section 2.5.5.3 Approval Process

#### A. Responsible Official Action

1. The Responsible Official shall review the application for a certificate of appropriateness in accordance with the criteria in Section 2.5.5.4 and provide a report and recommendation to the Historic Preservation Commission.
2. The responsible official shall schedule a public hearing and prepare personal and posted notice before the public hearing in accordance with Section 2.3.2.1.

#### B. Historic Preservation Commission Action

1. The Historic Preservation Commission shall conduct a public hearing concerning the application in accordance with Section 2.3.3.1
2. The Historic Preservation Commission shall approve, approve with conditions or deny the application for a certificate of appropriateness after consideration of the request during the public hearing.
3. If the Historic Preservation Commission determines that a certificate of appropriateness should not be issued, or should be issued subject to conditions, it shall place upon its records the reasons for its determination.
4. The Historic Preservation Commission shall render its decision on the request within forty-five (45) days of the date the application is deemed complete and adequate for review, subject to the supplemental options available under Section 2.5.5.5.

(This Section was approved by Ord. No. 2021-88, 11-3-21)

### Section 2.5.5.4 Criteria for Approval

The following criteria shall be used to determine whether the application for a certificate of appropriateness shall be approved, conditionally approved or denied:

- A. Consideration of the effect of the activity on historical, architectural or cultural character of the Historic District or Historic Landmark;
- B. For Historic Districts, compliance with the Historic District regulations;

- C. Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued; and
- D. The construction and repair standards and guidelines cited in Section 4.5.2.1.

### Section 2.5.5.5 Appeals

**A. General Procedure.** An applicant or other interested person within the four-hundred foot (400') personal notification area may appeal a final decision of the Historic Preservation Commission on an application for a certificate of appropriateness to the Zoning Board of Adjustments within ten days of the Historic Preservation Commission's action on the application, except for appeals pertaining to property owned by the City of San Marcos. Appeals pertaining to property owned by the City of San Marcos shall be made to the City Council within ten days of the Historic Preservation Commission's action on the application. The appellate body shall decide the appeal in accordance with Section 2.8.1.1.

**B. Supplemental Procedure.** In considering the appeal, the appellate body shall:

1. Review the record of the proceeding from which an appeal is sought;
2. Receive an overview of the case from the Responsible Official, including previous recommendations from city staff and the decision of the Historic Preservation Commission;
3. Hear arguments from the party appealing the decision of the Historic Preservation Commission; and
4. Remand the matter back to the Historic Preservation Commission when relevant testimony and newly-acquired evidence is presented that was not previously presented at the time of the hearing before the Historic Preservation Commission.



**C. Criteria on Appeal**

1. The appellate body shall apply the substantial evidence test as established under Texas law to the decision of the Historic Preservation Commission;
2. The burden of proof before the Zoning Board of Adjustments shall be on the appealing party, who must establish that the record reflects the lack of substantial evidence in support of the decision of the Historic Preservation Commission;
3. The appellate body may not substitute its judgment for the judgment of the Historic Preservation Commission on the weight of the evidence.

(Ord. No. 2020-60, 9-1-2020)

**Section 2.5.5.6 Expiration and Extension**

- A. Time of Expiration.** A certificate of appropriateness shall expire one year from the date it is issued if the proposed activity has not commenced, or two years from the date the certificate is issued, if the proposed activity has not been completed.
- B. Extension.** A certificate of appropriateness may be extended by the Historic Preservation Commission for a period not to exceed one year from the date required for commencement and two years from the date required for completion of the activity authorized by the certificate.

**DIVISION 6: ADMINISTRATIVE CERTIFICATES OF APPROPRIATENESS****Section 2.5.6.1 Purpose, Applicability, and Effect**

- A. Purpose.** The purpose of an administrative certificate of appropriateness is to allow the Responsible Official to administratively approve certain applications for the painting of a structure located within the Downtown Historic District. Furthermore, the purpose of an administrative certificate of appropriateness is to make certain these buildings are preserved and protected.
- B. Applicability.** An administrative certificate of appropriateness is required for the painting of structures located within the Downtown Historic District.

- C. Effect.** Approval of an administrative certificate of appropriateness authorizes the applicant to paint a structure located within the Downtown Historic District.

**Section 2.5.6.2 Application Requirements**

- A.** An application for approval of an administrative certificate of appropriateness shall be submitted in accordance with the universal application procedures in Section 2.3.1.1, except as otherwise provided in this Division 6.
- B.** An administrative certificate of appropriateness must be approved prior to the painting of structures located within the Downtown Historic District.

**Section 2.5.6.3 Approval Process****A. Responsible Official Action.**

1. The Responsible Official shall approve, approve with conditions, or deny an administrative certificate of appropriateness based on the criteria in Section 2.5.6.4.
2. Should the Responsible Official be unable to approve the request, the Responsible Official may forward the request to the Historic Preservation Commission for review and final action at the next available meeting in accordance with Section 2.5.5.1.

**Section 2.5.6.4 Criteria for Administrative Approval**

The following shall be used to determine whether the application for an administrative certificate of appropriateness shall be approved, conditionally approved, or denied.

- A.** Masonry that has not been previously painted shall not be painted;
- B.** The proposed paint color shall be selected from an exterior, historic paint palette from any major paint manufacturer;
- C.** The proposed paint color shall be appropriate to the time period of the structure; and
- D.** Consideration of the effect of the paint on the material of the building.

# LOCAL HISTORIC LANDMARK OR LOCAL HISTORIC DISTRICT DESIGNATION PROCESS

